

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.37199 of 2021**

Arising Out of PS. Case No.-813 Year-2020 Thana- SONEPUR District- Saran

Deonath Singh S/O Moti Singh R/O Village-Sabalpur, P.S-Sonpur, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2      17-09-2021                      Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sonapur P.S. Case No.813 of 2020, registered for the offence under Section 147, 148, 448, 504, 506, 323, 324, 325, 307, 379, 302 of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons, variously armed, came at the door of informant and started abusing him, which was objected and thereafter, it is alleged that all accused persons started assaulting him. It is further alleged that when nephew of the informant (Kedar Singh) came to save informant, he was also assaulted by other co-accused persons on his head, as a result of which, he fell down and during course of treatment, died.



It is submitted on behalf of petitioner that petitioner is only a member of mob and specific allegation of assault is against other co-accused persons. So far as this petitioner is concerned, there is general and omnibus allegation that this petitioner alongwith co-accused Lal Babu Singh had surrounded the informant and put the barrel of gun into his mouth. Petitioner is not the assailant of Kedar Singh (deceased) and he is in custody since 31.12.2020. Chargesheet has been submitted.

However, learned counsel for the informant vehemently opposed the bail petition and submitted that though, in the FIR, petitioner is said to have surrounded the informant, but he has also actively participated in the occurrence, in which, one person succumbed to his injuries and three persons have received several injuries.

Considering the aforesaid facts and circumstances as well as materials available on record and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Sonapur P.S. Case No. 813 of 2020, on the following conditions:



“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

**(Prabhat Kumar Singh, J.)**

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