

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28805 of 2020

Arising Out of PS. Case No.-105 Year-2020 Thana- ROSERA District- Samastipur

SUNIL SAH Son of Late Bangali Sah Resident of Village - Haripur, P.S.-
Rosera, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma

For the Opposite Party/s : Mr.Sujit Kr. Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 29-01-2021 Heard the learned counsel for the petitioner and Sri Sujit
Kr. Singh, the learned APP for the State.

The petitioners seek regular bail in connection with
Rosera PS case no. 105 of 2020 instituted for the offences punishable
under Sections 147, 302, 307, 504, 120B of Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having caught hold of the brother of
the informant and as far as the co-accused person namely Ram Babu
Sah is concerned, he is stated to have inflicted a knife blow in the
stomach and chest of the brother of the informant, resulting in his
subsequent death on account of the injuries sustained by him.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing in
custody since 31.03.2020. The learned counsel for the petitioner has



further submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide order dated 09.12.2020, passed in Cr. Misc. no. 27534 of 2020 and the judgment dated 22.01.2021, passed in Cr. Misc. no. 28058 of 2020.

Per contra, the learned A.P.P. for the State Sri Sujit Kr. Singh has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of the petitioner with that of the co-accused persons who have been granted bail by co-ordinate Benches of this Court as also considering the fact that a general and omnibus allegation has been levelled against the petitioner, I deem it fit and appropriate to direct for release of the petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera at Samastipur in connection with Rosera PS case no. 105 of 2020.

(Mohit Kumar Shah, J)

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