

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30259 of 2020

Arising Out of PS. Case No.-26 Year-2020 Thana- AMBA District- Aurangabad

-
1. SADHUSHARAN SINGH Son of Late Permashwar Singh Resident of Village- Iriyap, P.S.- Amba, District- Aurangabad, Bihar.
 2. Sudan Kumar Singh @ Sudan Singh Son of Manoj Singh Resident of Village- Iriyap, P.S.- Amba, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Adv.

For the Opposite Party/s : Mr.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-02-2021 Heard the learned counsel for the petitioners and the learned APP for the State, Ms. Anita Kumari Singh.

The petitioners seek regular bail in connection with Amba P.S. Case No. 26 of 2020, registered for the offence punishable under Sections 147, 149, 341, 323, 504, 506, 307 of the Indian Penal Code and later on, Section 302 of the Indian Penal Code was added.

The allegation is regarding the accused persons including the petitioners herein having had an altercation with the informant with regard



to conducting medical test for Corona, whereupon the accused persons had surrounded the informant and others and had pelted bricks upon Lallan Singh and Ramadhar Singh, from their roof resulting in one of them having succumbed to the injuries subsequently.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 28.04.2020. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners and moreover, the present case arises out of case and counter case.

Per contra, the learned APP for the State 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 petitioners and taking into account the materials



available on record as also those available in the case diary, it appears that the present case has arisen out of case and counter case and both the parties are alleged to have engaged in scuffle and moreover, the petitioners are having clean antecedent, hence, benefit of doubt can be granted to them for the purposes of grant of bail, thus, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Auranabad, Bihar in connection with Amba P.S. Case No. 26 of 2020.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

