

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34790 of 2020

Arising Out of PS. Case No.-179 Year-2020 Thana- PATNA CITY CHOWK District- Patna

PREM RAJ SAH, (Male), aged about 18 years, Son of Ram Prasad, Resident
of Mohalla-Macharhatta, P.S. - Khajekalan, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Kumar, Advocate.
For the Opposite Party : Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 302/34 of the I.P.C.

The prosecution story, in brief, is that on 11.05.2020
at about 8.30 P.M. in the night, the son of the informant, namely,
Raju @ Gajani, was passing through *Ghagha Gali* where from
before Anil Yadav, Rahul Yadav, Pramod Yadav, Mohit Kumar
@ Kadda, Rabindra Rai, Vikash @ Gunga, Harsh Kumar, Ravi
Chaudhary, Prem Raj Sah (petitioner) and Vikash Kumar @
Blackberri brutally assaulted him with brick-stone, as a result of
which, he sustained injuries. He was taken in P.M.C.H. but on
the way, he died. The reason behind the occurrence is that some



days ago, friend of Anil Yadav, namely, Bhola Rai was murdered in which accused have apprehension about the son of the informant.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 13.05.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IVth, Patnacity, in connection with Chowk P.S. Case No. 179/20.

(Sudhir Singh, J)

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