

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47101 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- MUFFASIL District- Aurangabad

AJIT KUMAR S/o Late Raghupati Ram R/o village- Naghara Pawai, P.S.-
Aurangabad (M), District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-08-2021 Heard Mr. Shailesh Kumar Singh, learned counsel
for the petitioner and Mr. Manoj Kumar, learned counsel
appearing for the State through video conferencing.

Petitioner renews his prayer for bail in connection
with Aurangabad Muffasil P.S. Case No. 84 of 2020 registered
for the offence under Section 341, 323, 325, 307, 302, 504, 506,
34 of the I.P.C. inasmuch as earlier bail application of the
petitioner was rejected vide order dated 02.02.2021 passed in
Cr. Misc. No. 35382 of 2020 (Annexure- 1 to the bail petition)
with liberty to renew his prayer for bail after six months.

The allegation is that petitioner along with other
accused persons assaulted the grandfather of the informant and
when his grandmother tried to save his grandfather she was
also assaulted by the accused persons. It has further been
alleged that other people of the village were also involved in the
incident but the informant was not knowing their name. It has
also been alleged that petitioner assaulted through his legs and



hands and his grandfather died during the course of treatment.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to village politics and the allegation against the petitioner is not correct. Learned counsel further submits falsity of the F.I.R. is further evident from the fact that informant has specifically stated that other co-villagers also assaulted his grandfather but they have not been named in the First Information Report on the pretext that the informant was not knowing the names of his co-villagers. Learned counsel next submits that allegation is general and omnibus against large number of persons. Referring to Annexure- 3 to the petition i.e. post- mortem report, learned counsel submits that the cause of death was “sudden cardiac arrest due to assault”. The petitioner is in custody since 17/06/2020.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record and the fact that petitioner is in custody since 17/06/2020, trial is not likely to be concluded in near future due to COVID 19 Pandemic and this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 84 of 2020 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

praful/-

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

