

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48464 of 2021

Arising Out of PS. Case No.-324 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

JAY SHANKAR SINGH S/o LATE BIDEO SINGH @ RAMKESH SINGH
R/o VILLAGE-KANCHANPUR, P.S-SASARAM (M), DISTRICT-
ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Sasaram (M) P.S. Case No. 324 of 2020 registered for the offence under Sections 341, 323, 325, 504, 379, 34 and 302 of the Indian Penal Code.

The petitioner along with his associates are alleged to have assaulted the father -in-law of the informant by iron rod and bricks on his head as a result of which he sustained grievous head injures and died during course of treatment



after fifteen days of the alleged occurrence.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, there is general and omnibus allegation against the petitioner and the specific allegation is attributed to the co-accused, Mukesh Singh, who is said to have given iron rod blow on the head of the deceased, and his mother, who assaulted the deceased by bricks on his head. It is apparent from the F.I.R. itself that this petitioner has not committed any overt act against the deceased but he is stated to be in association of Mukesh Singh against whom direct allegation of assault is attributed. The petitioner, who is of no fault, is rotting in judicial custody since 06.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 324



of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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