

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36938 of 2020

Arising Out of PS. Case No.-135 Year-2020 Thana- MADHUBAN District- East Champaran

=====

Vinod Das, aged about 35 years, male, Son Of Late Bhola Das, Resident of
Village - Dhabauliya, P.S. - Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the State : Mr. Rana Randhir Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-02-2021

Heard Mr. Rajesh Ranjan, learned counsel for the petitioner and Mr. Rana Randhir Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Madhuban PS Case No. 135 of 2020 dated 19.05.2020, instituted under Sections 147/ 148/ 149/ 341/ 323/ 324/ 307/ 379/ 504/ 506 of the Indian Penal Code.

3. The allegation against the petitioner and others is of assault on the informant and his brother resulting in injury. However, against the petitioner it is general and omnibus and that another co-accused asked the petitioner to kill the informant.



4. Learned counsel for the petitioner submitted that besides the allegation being general and omnibus, the only statement in the FIR is that another co-accused asked the petitioner to kill the informant. However, it was submitted that no overt act is alleged by the informant and also no injury was caused to anyone by the petitioner. It was submitted that there is also a counter case for the same occurrence. Learned counsel submitted that the petitioner has no criminal antecedent and is in custody since 10.01.2020.

5. Learned APP submitted that the petitioner was also part of the mob which had assaulted the informant and his brother.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM IV, Motihari, East Champaran in Madhuban PS Case No. 135 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an



undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	
T	

