

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4722 of 2021**

Arising Out of PS. Case No.-79 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

1. KANHIYA SINGH
2. Bahadur Singh @ Vishnu,
Both Sons of Nand Kishore Singh @ Ghoghan Singh @ Ghoghan,
3. Nand Kishore Singh @ Ghoghan Singh @ Ghoghan, Son of Late Babulal Singh,
All Residents of Village - Ishakchak, P.S. - Ishakchak, District - Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 11-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual Court proceedings.

The petitioners seek bail in a case registered for the offence punishable under Sections 302/ 201/ 120(B)/ 34 of the Indian Penal Code.

Prosecution case, in brief is that as per FIR, on 30.06.2020, the son of the informant was present at the railway track and at that time one Shankar Singh attacked on the son of the informant and assaulted him by knife due to which he died during treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that there is general and omnibus



allegation against the petitioners and there is no specific overt act against them. There is specific allegation against co-accused namely Shankar Singh, he attacked on the son of informant by knife and inserted the said knife in his stomach. During treatment son of the informant died. The occurrence took place on 30.06.2020 and FIR lodged on 03.07.2020 and there is no explanation for such delay. The petitioners are languishing in judicial custody since 27.08.2020. The petitioners have got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail of the petitioners.

Considering the fact that there is general and omnibus allegation against the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each in connection with Ishakchak P.S. Case No. 79/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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