

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14123 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- MOHAMMADPUR District- Gopalganj
=====

Vyas Ram S/O Late Dhana Ram R/O Village- Majhwaliya, P.S.-
Mohammadpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Adv.

For the State : Mr.Fahimuddin, APP

For the Informant : Mr.Sumit Shekhar Pandey, Adv.
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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per allegations in the F.I.R., the twenty nine named accused persons including the petitioner herein are stated to have come variously armed and assaulted the informant and the members of his family.

It is submitted by learned counsel for the petitioner that allegations as levelled in the F.I.R. are false and concocted. There being two persons of the same name as the petitioner, the description in the F.I.R. is not clear as to whether the allegation



of assault is against the petitioner or by the other accused person. It is further submitted that no injury has been caused to Sonu Ram. The petitioner is in custody since 17.7.2020, has no criminal antecedent and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State and the learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but there is direct allegation of overt act against him of having assaulted Sonu Ram. The accused persons assaulted as a result of common intention leading to death of one person. It is not a case for grant of bail.

Having heard learned counsel for the parties and taking into consideration the materials available on record including the fact of the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Mohammadpur P.S. Case no.150 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st , Gopalganj.

(Partha Sarthy, J)

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