

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7999 of 2022

Arising Out of PS. Case No.-13 Year-2019 Thana- SUHAIL District- Gaya

Sanju Bhuiyan S/o Saryu Bhuiyan R/o village- Salaiya, P.S.- Sohail, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sohail P.S. Case No. 13 of 2019 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 353, 325, 307, 504 and later on added 302 of the Indian Penal Code.

Allegation against the petitioner is that petitioner and other co-accused persons assaulted the police party when they went to the house of co-accused Jagdish Bhuiyan to execute the warrant of arrest against him. One of the constables



died due to this assault during the course of treatment.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has no role in the alleged occurrence. Except for suspicion there is nothing against the petitioner. Even the allegations are only general and omnibus against all the petitioners except those against co-accused Jagdish Bhuiyan and Ramjeet Bhuiyan. The learned counsel further submits that similarly placed co-accused persons have been granted bail by Coordinate Benches vide order dated 16.08.2021 passed in Cr. Misc. No. 19309 of 2021 and vide order dated 18.11.2021 passed in Cr. Misc. No. 25766 of 2021. The petitioner is in custody since 03.06.2021.

Learned APP opposes the prayer for bail however he admitted that other co-accused persons have been granted bail by Coordinate Benches.

Having regard to the submissions made hereinabove and considering the fact that there is no specific allegation against this petitioner and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the



satisfaction of learned S.D.J.M. Sherghati (Gaya) in connection with Sohail P.S. Case No. 13 of 2019, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam/-

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

