

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8224 of 2022

Arising Out of PS. Case No.-167 Year-2020 Thana- SIKARPUR District- West Champaran

1. Rajan Pal Son of Raman Pal Resident of Village- Nayatola, Rakhahi, Police Station- Shikarpur, District- West Champaran at Bettiah.
2. Bundeli Pal s/o late shankar pal resident of village- nayatola, rakhahi, p.s.- Shikarpur, District- West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-06-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 341, 323, 324, 307, 354, 302, 504 and 34 of Indian Penal Code in connection with Shikarpur P.S. Case No. 167 of 2020.

The allegation against the petitioners is to have hold the deceased at the time of occurrence along with other co-accused persons.

Accused/petitioner is named in the FIR and in custody since 08.12.2021.

Learned counsel for the petitioners submits that the



petitioners have falsely been implicated in the present case and allegation against the petitioners is only limited to hold the deceased at the time of occurrence, when the fatal blow was caused by other co-accused persons, namely, Nathuni Lal and Satyanarayan Pal, who have been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 40627 of 2020 passed on 07.04.2021 and Cr. Misc. No. 36262 of 2020 passed on 05.04.2021 respectively. He further submits that the petitioners are man of clean antecedent and also as charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer for bail conceded that the allegation levelled against the petitioners is only to hold the deceased at the time of occurrence.

Considering the facts and submissions as made above, nature of allegation is general and omnibus in nature, limited to hold the deceased at the time of occurrence and specific allegation of assault is against the co-accused persons, who have already been granted bail by a co-ordinate Bench of this Court, let the petitioners, above named, is directed to be released on bail in connection with Shikarpur P.S. Case No. 167 of 2020 on



furnishing bail bound of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran, subject to the following condition:

(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution shall be at liberty to move for cancellation of bail.

(Chandra Shekhar Jha, J)

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