

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10483 of 2022

Arising Out of PS. Case No.-147 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

Rambabu Singh Son of Late Khemu R/O Village- Mahdeiya Math, P.S.-
Sahebganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Sahebganj P.S. Case No. 147 of 2021 registered for the offence
under Sections 341, 323, 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.03.2021.

The allegation against the petitioner is to commit
murder of the husband of the informant, along with other co-
accused persons, where assault was alleged to be made by fight
and fist, causing internal injuries due to non-payment of Rs.
50,000/- (Rupees Fifty Thousand), as demanded by one of the



co-accused persons, namely, Satendra Singh.

Learned counsel appearing on behalf of the petitioner submitted that the thrust of allegation, as per the face of F.I.R., is available against co-accused Satendra Singh, where implication against this petitioner is only for the reason that he is the father of co-accused Satendra Singh. It is submitted that both parties are co-villagers and neighbours, where dispute arises out of pathway. It is also submitted that, as per the face of F.I.R., the occurrence took place when deceased was returning to his home alone and, as such, the claim of informant, being an eye witness of this occurrence, is appearing false on its face. It is further pointed out that the death of husband of the informant was caused due to injuries received due to hard and blunt substance, which is appearing contrary in terms of allegation, as raised through F.I.R. and moreover, allegation of assault is appearing very much general and omnibus. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of assault is appearing very much general



and omnibus, where thrust of allegation is available against co-accused Satendra Singh, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sahebganj P.S. Case No. 147 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J. 1st, (West) Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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