

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12591 of 2022

Arising Out of PS. Case No.-72 Year-2020 Thana- RAMGARHWA District- East Champaran

Md. Bhola Mian @ Shekh Bhola @ Sk. Bhola Son Of Late Shekh Sahid R/O
Village- Belaspur, Ward No.12, P.S.- Ramgarhwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-06-2022 Heard Mr. Ajay Kumar Singh, learned advocate for
the petitioner and Mr. Ram Naresh Ray, learned Additional
Public Prosecutor representing the State.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 25.03.2021 passed in Cr.
Misc. No. 37731 of 2020.

The petitioner is said to be in custody since
29.05.2020.

A report was called for from the court below about the
stage of the case, which report indicates that out of 15
prosecution witnesses, only 4 had been examined till the date of
drawing of the report.

Some of the other accused persons of this case with
similar allegation against them have been granted bail by



different Benches of this Court.

The petitioner and others are alleged to have assaulted the father of the deceased as a result of which he died.

The learned counsel for the petitioner submits that the antemortem injury suffered by the deceased does not reflect that he was assaulted brutally.

The whole occurrence arose out of a small dispute and, therefore, there could have been no intention on the part of the petitioner or other accused persons of causing death of the deceased.

Nonetheless, regard being had to the period of custody of the petitioner and the stage of the case and that some of the other equally circumstanced accused persons have been released on bail, the petitioner is also directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XIXth, East Champaran, Motihari in connection with Sessions Trial No. 220 of 2021 arising out of Ramgarhwa P.S. Case No. 72 of 2020.

However, the petitioner shall not evade the process of trial and his absence from the trial proceedings on two



consecutive occasions without any permission from the trial court would render the bail granted to him liable to be cancelled.

The petition stands allowed.

(Ashutosh Kumar, J)

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