

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12169 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- CHENARI District- Rohtas

-
1. Ram Dayal Kahar S/o Ram Raj Kahar R/o village- Jararhi, P.S.- Chenari, District- Rohtas
 2. Sonu Kumar S/o Ram Raj Kahar R/o village- Jararhi, P.S.- Chenari, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2022 Heard learned counsel appearing on behalf of the
petitioners 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 petitioners seek bail in connection with Chenari
P.S. Case No. 65 of 2021 registered for the offence under
Sections 147, 149, 323, 307, 341, 504, 506 and 302 of the
Indian Penal Code.

The accused/petitioners are named in the F.I.R. and is
in custody since 03.11.2021.

The allegation against the petitioners is to commit
murder of grand-father of the informant along with other co-
accused persons over up-rooting the gram crop.



Learned counsel appearing on behalf of the petitioners submitted that allegation of fatal assault is specific against co-accused persons. It has further been submitted that the present case is the counter case of Chenari P.S. Case no. 85 of 2021 and in fact, the occurrence was free fight, without having intention to cause death. It has further been submitted that similarly situated co-accused persons has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 54681 of 2021 by order dated 22.01.2022. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that allegation of fatal blow, as per FIR.

Considering the facts and circumstances as mentioned above, as allegation as regard to assault, is very much general and omnibus against both the petitioners, who are man of clean antecedent, let both the petitioners, above named, are directed to be released on bail in connection with Chenari P.S. Case No. 65 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 Chief Judicial Magistrate, Rohtas at



Sasaram, subject to the following conditions:

“(i) Accused/Petitioners shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Parvati Devi, who is the Sister-in-law (Bhabhi) of the petitioners and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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

