

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13026 of 2022

Arising Out of PS. Case No.-155 Year-2017 Thana- NAGAR District- Vaishali

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PAPPU DAS Son of Yogendra Das Resident of Village - Pirapur, P.s.-
Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 30-08-2022 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 Hajipur
Town P.S. Case No. 155 of 2017 registered for the offence under
Sections 341, 323, 307, 353, 504, 506/34 of the I.P.C.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.03.2017.

The allegation against the petitioner is to assault upon
police personnel, while making an attempt to escape from jail,
with intention to cause death.

Learned counsel appearing on behalf of the petitioner
submitted that there is no specific allegation against the



petitioner and the maximum allegation is that he was present at the time of occurrence. It is also submitted that allegation as regard to snatching the service pistol of informant is also very much general and omnibus. There is nothing to suggest that an attempt was made for causing death of the informant. It is further submitted that allegation as regard to made an attempt is only to make the allegation aggravate as same is without any basis. 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, while opposing the prayer of bail, fairly conceded that the allegation, as regard to snatching of pistol, is very much general and omnibus.

Considering the facts and circumstances as mentioned above, as act of petitioner can not be said as an attempt on its face with intention to cause death where allegation regarding snatching of pistol is very much general and omnibus coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Town P.S. Case No. 155 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge-III, Vaishali at
Hajipur/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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