

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13377 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- RAMGARH District- Kaimur (Bhabua)

Satish Singh Son Of Late Rambadan Singh Resident Of Village - Bhatauni,
P.S. - Ramgarh, District - Kaimur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-07-2022 Heard Mr. Praveen Kumar, learned counsel

appearing on behalf of the petitioner as well as learned counsel

Additional Public Prosecutor for the State.

Application for grant of bail to the petitioner who is
in custody in connection with Ramgarh P. S. Case No. 343 of
2021 registered for the offences punishable under Sections 147,
148, 149, 341, 323, 307, 504 of the Indian Penal Code and
later on added Section 302 of the Indian Penal Code.

As per the prosecution case, it is alleged that while the
brother of the informant was standing at the doorstep of his
house, seven named accused persons and ten unknown persons
armed with Lathi Danda surrounded him and on provocation of
the petitioner, all the co-accused persons started assaulting the
brother of the informant, as a result of which, he sustained



serious injuries and was taken to hospital , where he died.

Learned counsel appearing on behalf of the petitioner submits that FIR has been instituted against seven named accused persons and ten unknown persons with general and omnibus allegation. It is further submitted that from the FIR, it is evident that only allegation against the petitioner is that he along with three other co-accused persons instigated the other accused persons, thereupon, they assaulted the brother of the informant by means of Lathi, Danda and Iron Rod. It is further submitted that there is a counter version of this case instituted by co-accused Jai Prakash Singh against the informant and his brother, bearing Ramgarh P.S. Case No. 342 of 2021 just prior to the institution of the present case. It is next submitted that there is a land dispute between the parties and Title Suit No. 878 of 2021 is pending between them. It is also submitted that this petitioner is in custody since 24.12.2021, having a man of fair antecedent.

On the other hand, learned counsel for the state opposed the bail application and submits that the accused persons in furtherance of common intention assaulted the brother of the informant which resulted into his death.

Having regard to the submissions made on behalf of



the parties and taking into consideration general and omnibus nature of allegation and moreover, there is no specific allegation of any overt act against this petitioner, apart from the fact that there is a counter version of the present case and the petitioner is in custody since 24.12.2021 having fair antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st Kaimur at Bhabhua in connection with Ramgarh P.S. Case No. 343 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable



to be cancelled.

(Harish Kumar, J.)

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