

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22618 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- SANJHOLI District- Rohtas

=====

SRI RAM SINGH SON OF LATE RAM BELASH SINGH RESIDENT OF
VILLAGE SONI, POLICE STATION- SANJHAULI, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.N.K. Agarwal, Sr. Advocate
For the Opposite Party/s	:	Mr.Mukesh Kumar, Advocate
For the Informant	:	Mr.Nityanand Tiwary, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 17-05-2022 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned A.P.P. for the

State.

The petitioner seeks bail in a case registered for the
offences punishable under Section 302 of the Indian Penal
Code.

Learned senior counsel for the petitioner submits that
the petitioner is in custody since 07.09.2020, is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The informant alleges that his father after having
dinner went to sleep in his *dalan* soon thereafter his grandson
also followed him, further as soon as he reached the place of



occurrence, the grandson saw the petitioner pressing the neck of his grandfather and assaulted his grandfather over the head by stone on which *hulla* was raised and the villagers came on which the petitioner fled and the son of the informant disclosed the occurrence to the informant. It is next alleged that when they went to the house of the petitioner, he was shouting that he has killed the deceased and no one can do anything, further the police was informed and when the police came normalcy was restored in the village.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, charges have been framed and trial has commenced and in the trial, the informant and his son both have not supported the prosecution case as would be evident from evidence of P.W.-2 and P.W.-3 at Annexures 2 and 3 of the supplementary affidavit.

Learned counsel for the informant fairly submits that since the informant and his son have not supported the prosecution case as such it is difficult for him to oppose the bail application.

Considering the fact that the petitioner is in custody since 07.09.2020, is a person with clean antecedent, charge-sheet has been submitted in the case and the P.W. 2 and P.W. 3



have not supported the prosecution case in the trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sanjhauli P.S. Case No. 16 of 2020.

Further, if the learned court below comes to a conclusion that after release, the petitioner is trying to delay the trial in any manner, the learned court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

Rishi/-

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

