

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15454 of 2022

Arising Out of PS. Case No.-109 Year-2021 Thana- BAJPATI District- Sitamarhi

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Saurabh Kumar @ Saurabh @ Saurav Kumar @ Saurav, Son of Uma Chaudhary @ Uma Kishor Chaudhary, R/o village - Bangaon, Ward No.- 09, P.S. - Bajpatti, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bajpatti P.S. Case No. 109 of 2021 registered for the alleged offences under Sections 302/34 and 120(B) of the Indian Penal Code.

As per the prosecution case, the co-accused persons ran over the parents of the informant by their motorcycles and they later on succumbed to their injuries. The occurrence took place in the background of dispute over the drainage of water.



Allegation against this petitioner is that he called the informant and her family members to the local police station for bringing out a settlement.

The learned counsel for the petitioner submits that there is no allegation of any wrong doing against this petitioner in the whole FIR. He has been falsely implicated in this case. The informant and the co-accused persons are agnates and there was a continuing problem of drainage of water. The petitioner is a journalist and was at the local police station in connection with collecting some news and at the instance of SHO, he called the parties to the police station to resolve their dispute, but was falsely implicated in this case for doing this work in good faith. Charge-sheet has been submitted against this petitioner and he has been in custody since 17.12.2021.

Learned APP opposes the prayer for bail.

Having regard to the submission made hereinabove and considering the fact that there appears nothing on record against this petitioner to show the active involvement of this petitioner in causing death of the parents of the informant and further considering submission of charge-sheet along with period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Bajpatti P.S. Case No. 109 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and also the following conditions:

(i) One of the bailors will be the close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Rajnish/-

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