

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25550 of 2022**

Arising Out of PS. Case No.-364 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

Sunil Kumar @ Sunil Sah Son of Ram Pavitra Sah Resident of Village -
Manik Chauk, Sripur, P.s.- Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashhar Mustafa, Adv.
	:	Mr. Vikash Kumar Jha, Adv.
For the Opposite Party/s	:	Mr. A.G, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 20-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Runnisaidpur P.S. Case No. 364 of 2020 lodged under Sections
147, 148, 447, 323, 325, 341, 307, 302, 504 of the I.P.C.

As per the prosecution case, the F.I.R. has been filed
against 22 named accused persons that all gathered at the house
of the informant with lathi, danda, iron rod, stone and started
abusing the informant and his family members as well as they
started assaulting. The dispute was going on only due to the
reason that name was involved in an excise case. The petitioner

is the order giver.

Learned counsel for the petitioner submits that for the same date and place of occurrence, there are case and counter-case. The present case has been filed bearing Runnisaidpur P.S. Case. No. 364 of 2020 whereas the contesting party has filed a case which was recorded as Runnisaidpur P.S. Case No. 365 of 2020 for the same date and place of occurrence. Learned counsel further submits that there is nothing specific alleged against the petitioner save and except the order giver. He submits that there are 2 criminal antecedent of the petitioner in which he is on bail. Learned counsel further submits that petitioner is in custody since 23.01.2022. He submits that the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 02.12.2021 passed in Cr. Misc. No.33923 of 2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi in connection with

Runnisaipur P.S. Case No. 364 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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