

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33458 of 2022

Arising Out of PS. Case No.-922 Year-2021 Thana- BANKA District- Banka

-
1. Ajay Roy Son of Late Asharfi Roy Resident of Village - Chandrapura, P.s.- Baraha, Distt.- Banka.
 2. Dhananjay Roy Son of Asharfi Roy Resident of Village - Chandrapura, P.s.- Baraha, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Md. Nurul Hoda. Advocate
	:	Mr. Satish Chandra Mishra, Advocate
For the State	:	Mr. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-12-2022 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Banka (Barahat) P.S. Case No.922 of 2021 registered for the offence under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 15.12.2021.

The allegation against the petitioner is to commit the



murder of husband of the informant alongwith other co-accused persons, due to property dispute arising out of land partition.

Learned counsel appearing on behalf of the petitioner submitted that allegation with regard to assault is very much general and omnibus against these petitioners. It is also submitted that as per allegation 7 persons assaulted the deceased, whereas post mortem report is not reflecting any such injuries which may suggest that assault was caused by 7 persons. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State , opposes the prayer for the bail.

In view of the facts and circumstances as mentioned above as allegation regarding assault is not specific coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Banka (Barahat) P.S. Case No.922 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief



Judicial Magistrate, Banka (Barahat)/concerned court, subject to
the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

