

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35242 of 2022

Arising Out of PS. Case No.-124 Year-2020 Thana- SINGHESHWAR District- Madhepura

Sri Ram Sah @ Ram Sah Son Of Buchchi Sah Resident of Bhawanipur, P.S.-
Singheshwar, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Singheshwar P.S. Case No. 124 of 2020 under sections 341,
342, 323, 120B and 302/34 of the Indian Penal Code.

As per the FIR, the informant has alleged that due
to fishing dispute, while her husband was returning all the
accused persons including the petitioner herein caught hold of
him and thereafter mercilessly assaulted which resulted into his
death.

Learned counsel for the petitioner submits that
there is general and omnibus allegation against amongst other



the petitioner herein of assaulting and killing the deceased. He further submits that he has no criminal antecedent and he is in jail since 10.8.2021. He further submits that he is ready to abide by any terms and conditions imposed by this Court, if he is granted the privilege of bail.

It has further been submitted that one of the co-accused, namely Raj Kumar Yadav has since been released on bail by this Court in Cr. Misc. No. 67341 of 2021 on 20.7.2022.

Let the same be kept on record.

Taking into account the fact that omnibus allegation has been made against the petitioner, he is in jail since 10.8.2021 (as stated in para-22 of the bail application), charge-sheet stands submitted and he has no criminal antecedent as also co-accused Raj Kumar Yadav has been granted bail, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of C.J.M., Madhepura, in connection with Singheswar P.S. Case No. 124 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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