

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47537 of 2021**

Arising Out of PS. Case No.-8 Year-2020 Thana- HARSIDHI District- East Champaran

KEDAR SINGH Son of Late Kamla Singh Resident of Village- Bairyadh,
P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Radha Mohan Singh
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala
For the Informant	:	Mr. Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 29-03-2022 Heard learned counsel for the petitioner, the State
and the informant.

The petitioner seeks bail in Harsidhi P.S. Case No. 8
of 2020, registered for the offence under Section 307 & other
allied sections of the Indian Penal Code.

As per the prosecution case, on 03.01.2020 at 7:00
PM, the petitioner alongwith other FIR named accused persons,
armed with lathi, rod and farsa, came to the house of the
informant and started abusing and assaulting him and his family
members and when grandfather of informant tried to save, he
was brutally assaulted by the accused persons, who died during
course of treatment.

It is submitted on behalf of petitioner that allegations



are general and omnibus in nature and no specific overt act has been alleged against this petitioner and all the family members have been roped in this case due to previous enmity. It is further submitted that the FIR has been lodged after delay of two days and there is no explanation for the same. Two similarly situated co-accused namely Bijali Singh and Arjun Singh have already been granted bail by a coordinate Bench of this Court, vide order dated 19.02.2021 passed in Cr. Misc. No. 29730 of 2020. Petitioner claims clean antecedent and he is in custody since 02.02.2021.

Learned A.P.P. for the State and the informant opposed the bail petition and submitted that this petitioner has also played active role in the alleged occurrence.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East Champaran, Motihari in connection with Harsidhi P.S. Case No. 8 of 2020

(Prabhat Kumar Singh, J)

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