

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38792 of 2022

Arising Out of PS. Case No.-406 Year-2020 Thana- BAJPATI District- Sitamarhi

Ganesh Sah Son of Babulal Sah Resident of Village - Bari Phulbariya, Ward
No.- 10, P.S.- Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-11-2022 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.

The petitioner seeks regular bail in connection with
Bajpatti P.S. Case No. 406 of 2020 lodged under Sections 341,
323, 325, 307 and 302/34 of the I.P.C.

As per the prosecution case, the informant has
narrated that his grandson was coming back to the village
attending a ceremony from another village with other co-
villagers including the present petitioner. On a very petty issue,
the informant started provoking the other co-accused to kill the
grandson of the informant in which the 2 persons, one was
killed and another was seriously injured.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that there is nothing specific against the present petitioner or any other who has assaulted the deceased. There is general and omnibus allegation made in the F.I.R. He further submits that petitioner is in custody since 09.11.2020. Charge sheet has already been filed as well as charge has also been framed. Till date, not a single witness has been examined.

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 A.D.J.-X, Sitamarhi in S.T. No. 68/21 in connection with Bajpatti P.S. Case No. 406 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.)

prakashmani/-

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