

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42279 of 2022

Arising Out of PS. Case No.-465 Year-2021 Thana- MAJHAULIA District- West Champaran

PRAMOD SAH Son of Late Mohan Sah Resident of village - Mahmadi
Bahuarwa, P.S.- Majhauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 09-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Majhauria P.S. Case No. 465 of 2021, registered for the
offences punishable under Section 302/34 of the Indian Penal
Code.

As per allegation, the son of the informant was insane
and he had gone to the house of his relative. On 29th August
2021, the informant along with his son went to Sugauli for
treatment of his son. When they were staying in the house of



their relative, his son left the house at night and on 31.08.2021, the informant came to know that the FIR named accused persons with 40-50 unknown persons badly assaulted his son, who died in course of treatment.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has submitted further that admittedly the son of the informant was insane and he left the house when the informant was sleeping. He has also submitted that other co-accused persons on similar footing have been granted regular bail as well as anticipatory bail by the court below itself. The petitioner is under custody since 30.03.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah in connection with Majhaulia P.S. Case No.465 of 2021, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the



similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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