

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42776 of 2022

Arising Out of PS. Case No.-240 Year-2020 Thana- BIKRAM District- Patna

SANJAY KUMAR SON OF LATE AMBIKA MISTRI @ AMBIKA
VISHWAKRAMA R/O BARDA P.O SAIDABAD, P.S.- RANITALAV
(KANPA), HABASPUR, PATNA, SAIDABAD, BIHAR- 801104

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dayanand Singh

For the Opposite Party/s : Mr.Nand Kishor Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Bikram P.S. Case No. 240 of 2020 registered for the offences
punishable under Sections 147, 149, 341, 323, 302, 307 of the
Indian Penal Code.

As per prosecution case, petitioner and others
assaulted the husband of informant with lathi and danda on
account of which husband of informant got seriously injured
and during the course of treatment he died in the hospital.

Learned counsel for the petitioner submits that



petitioner is in custody since 17.06.2022. Petitioner bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. The investigating agency has submitted the final form in which no allegation is found to be true against the petitioner. There is no specific allegation against the petitioner and allegations are general and omnibus in nature. Learned counsel for the petitioner submits that cognizance has been taken for which the petitioner is seeking bail in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VI, Danapur in connection with Bikram P.S. Case No. 240 of 2020, subject to following conditions:-

- (i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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