

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52381 of 2021**

Arising Out of PS. Case No.-94 Year-2020 Thana- SHIVSAGAR District- Rohtas

SHIV NARAYAN BIND Son of Ball Keshwar Bind Resident of Village -
Tani Police Station - Sheosagar, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 14-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Sheosagar P.S. Case No. 94 of 2020 instituted for the offences
under Sections 147, 148, 149, 323, 504, 506, 307 and 302 of the
Indian Penal Code.

Learned counsel submits that charge-sheet came to be
submitted under Sections 147, 148, 149, 323, 337, 307, 302, 504
and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 02.04.2020, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that on 31.03.2020 children



while playing were quarreling on which father of the informant went to settle the dispute amongst the children, when this petitioner along with named accused persons came and assaulted the father of the informant by rod and lathi causing injury on his head, further the father of the informant died during the course of treatment on 02.04.2020.

Learned counsel for the petitioner submits that in the FIR it is alleged that all the accused assaulted the father of the informant on his head by rod, lathi and danda leading to fracture of the head and thereafter it is alleged that this petitioner also assaulted on the head by an iron rami. Learned counsel for the petitioner submits that the petitioner has been falsely implicated by alleging specifically that he assaulted by rami when in the earlier part of the FIR it is clearly alleged that all the accused assaulted the father of the informant with rod and he fell down as his head got fracture. It is further submitted that similarly situated other co-accused have been granted bail vide order dated 03.08.2021 passed in Cr. Misc. No. 7054 of 2021, order dated 27.05.2021 passed in Cr. Misc. No. 4706 of 2021 and order dated 05.02.2021 passed in Cr. Misc. No. 32189 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.



Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and other co-accused have been granted bail, 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 Additional Chief Judicial Magistrate-cum-Sub Judge-V, Rohtas, Sasaram in connection with Sheosagar P.S. Case No. 94 of 2020.

(Satyavrat Verma, J)

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