

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44969 of 2022

Arising Out of PS. Case No.-107 Year-2021 Thana- RANIGANJ District- Araria

BARHAMDEO RISIDEO Son of Late Kamleshwari Risideo Resident of
village - Sarwaha, Ward No.- 1, Barbanna, P.S.- Raniganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-12-2022 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
Raniganj P.S. Case No. 107 of 2021 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 302, 504 of
the I.P.C.

As per prosecution case, petitioner and other
accused persons came at the house of informant and started
abusing. It is further alleged that petitioner alongwith others
assaulted the informant's father by means of iron rod and Bhala
(javelin) due to previous enmity, thereafter, informant's father
was brought to hospital where he died.



Learned counsel for the petitioner submits that petitioner is in custody since 13.05.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that allegation against the petitioner is general and omnibus. There is no specific overt-act against the petitioner. The petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submits that co-accused Anmol Risideo alias Udyanand Risideo has already been granted bail vide Cr. Misc. No. 33556 of 2022 by a co-ordinate bench of this Court and the case of present petitioner stands on similar footing.

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 as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, similar situated co-accused person has already been granted bail by co-ordinate bench, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties 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 A.C.J.M. VI, Araria in connection with Raniganj P.S. Case No. 107 of 2021, 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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