

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57484 of 2021

Arising Out of PS. Case No.-364 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

SUDHIR KUMAR @ SUDHIR SHAH S/o Mahendra Shah R/O Village -
Dhanhara, P.S. - Runnisaidpur, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s	:	Mr.Devendra Kumar, Advocate
For the State	:	Ms. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with
Runnisaidpur P.S. Case No. 364 of 2020 giving rise to Sessions
Trial No. 37 of 2021 instituted for the offences under Sections
147, 148, 447, 323, 325, 341, 307, 302 and 504 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 28.04.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that on 15.08.2020, Sunil Kumar along with
15-20 accused came to the house of the informant and alleged



that they have got his liquor seized, on which the brother of the informant objected saying that they had no role in the seizure of liquor, on which the accused persons brutally assaulted his brother, nephew and *bhabhi*. It is further alleged that the brother died during the course of treatment.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and from perusal of the allegation as alleged in the F.I.R. it would manifest that the allegation of assault is general and omnibus in nature and further the informant and the petitioner are relatives and are having land dispute as pleaded in paragraph '12' of the bail application. It is further submitted that similarly situated co-accused Lal Bau Sah and Raju Sah have been granted bail vide order dated 13.07.2021 in Cr. Misc. No. 20384 of 2021 and Harishchandra Sah and Govind Sah have also been granted bail vide order dated 05.08.2021 in Cr. Misc. No. 6414 of 2021.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner but are not able to meet the submissions of the learned counsel for the petitioner that the informant and the petitioner are relatives and the similarly situated co-accused have been granted bail.



Considering the fact that the petitioner is in custody since 28.04.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and the 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 A.D.J.-XI, Sitamarhi in connection with Runnisaiddpur P.S. Case No. 364 of 2020.

(Satyavrat Verma, J)

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