

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61695 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- SAHIYARA District- Sitamarhi

SIKINDRA SAH @ SIKINDAR SAH S/o- Dahaur Sah Resident of Village-
Maudah, P.S.- Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 341, 323, and 34 of the Indian Penal Code.

As per the prosecution case, information was received about group of persons having beaten up a thief who was caught. On reaching the place of occurrence, the injured thief who was in an unconscious state was taken to the hospital for treatment. It is further stated that it secretly transpired that the twelve named accused persons including the petitioner herein as also one Suresh Das and 20-25 other accused persons were involved in beating up of the thief.

It is submitted by learned counsel for the petitioner that the injured having died subsequently, section 302 of the



Indian Penal Code was added. From perusal of the FIR itself it would transpire that the allegation is of having beaten up a thief who was caught. The allegations against the petitioner are general and omnibus in nature. The case of the petitioner stands on a similar footing to that of coaccused Suresh Sah who has been enlarged on bail vide order dated 15.4.2022 passed in Cr. Misc. no.64310 of 2021. The petitioner is in custody since 16.7.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the general and omnibus allegation in the FIR, the petitioner not having any criminal antecedent and having remained in custody for 9 months, the Court directs the petitioner to be enlarged on bail in connection with Sahiyara P.S. Case no. 90 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate - I/C, Sitamarhi.

(Partha Sarthy, J)

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