

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64189 of 2021

Arising Out of PS. Case No.-701 Year-2021 Thana- KHAGARIA District- Khagaria

ARUN KUMAR DAS, Son of Late Bimal Kumar Das @ Bimal Das Resident
of Village - Sanhauli, P.S.- Chitraguptnagar, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Munish Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-03-2022 Heard the learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in a case registered for the offences under Sections 341, 323, 353, 188, 224 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 06.09.2021, he is a person with clean antecedent, charge-sheet has been submitted and the informant alleges that Constable, Ramanand Yadav informed him that his duty starts from 10 P.M., accordingly, the informant before starting of his duty checked the prison and saw that the prison ward was open, hence he tried to close the ward which was objected by Ramanand, who was assisted by Dharmveer and they tried to kill the informant by strangulating him but he managed to flee himself and informed the police, further Ramanand absconded from duty.

The learned counsel for the petitioner submits that the



petitioner is not named in the FIR and specific allegation is against Ramanand and Dharmveer, the petitioner is a Hawaldar posted in the prisoner and it is alleged that he did not help the informant even when he saw Ramanand and Dharmveer fighting with the informant. The learned counsel submits that the petitioner was completely unaware that as to why the quarrel between the informant and the accused was going on and as such he did not interfere.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 06.09.2021, he is a person with clean antecedent, charge-sheet has been submitted and he is not named in the FIR, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khagaria (Chitraguptanagar) P.S. Case No. 701 of 2021.

The application stands allowed.

sanjeev/-

(Satyavrat Verma, J)

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