

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67996 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- SARE District- Nalanda

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SOHAN KUMAR Son of Brijnandan Yadav Resident of Murgiyachak, P.S.-
Sare, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Naushad, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sare P.S.
Case No.117 of 2021 registered for the offence under Sections
147, 148, 149, 188, 341, 323, 332, 333, 337, 338, 353, 356, 357
and 307 of the Indian Penal Code, Section 27 of the Arms Act
and Section 51 of the Disaster Management Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 10.10.2021.

The allegation against the petitioner is of assault and
firing upon the police personnels.

Learned counsel appearing on behalf of the petitioner



submitted that nature of allegation against the petitioner is general and omnibus. It has further been submitted that the petitioner is involved in one more criminal case, in which, he is on bail. It has further been submitted that similarly situated co-accused persons have already been granted bail by one of learned co-ordinate Bench of this Court through Cr. Misc. No. 7836 of 2022 dated 24.03.2022. It has further been submitted that no offence under Section 307 of the I.P.C. is made out against the petitioner. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nature of allegation as regard to assault against the petitioner is very much general and omnibus, negating intention to cause death coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Sare P.S. Case No. 117 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 learned Chief Judicial Magistrate-IV, Bihar Sharif, Nalanda, subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Pramod Kumar, who is the cousin of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen/-

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