

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70003 of 2021

Arising Out of PS. Case No.-167 Year-2021 Thana- SONBERSA District- Sitamarhi

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Ram Nath Kumar @ Ram Nath Sah S/o Ramprit Sah R/o Village- Bela, P.S.-
Sonbarsa, District- Sitamarhi,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, App

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. Mr. Abhay Kumar Roy for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120 (B), 34 of the Indian Penal Code and read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 29.07.2021, charge-sheet has been submitted in the case and has antecedent of one case.

Learned counsel for the petitioner submits that the informant alleges that her husband came from Delhi during lockdown and developed friendship with Anil Kumar and used to feast and roam with him, further on 20.06.2021, Anil Kumar took the deceased to village Inderwa for participating in a feast and after feast, Anil took the deceased to the place of occurrence



at Bela, Parsa, NH-77 on pretext of taking bus ticket where three motorcycle borne criminals came and fired at the deceased indiscriminately as a result of which he died, thus, alleges that petitioner in conspiracy with Vivek Mahato along with six unknown criminals killed her husband.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name transpired in the confessional statement of Anil Kumar who has been granted bail by order dated 09.03.2022 in Criminal Miscellaneous No. 59039 of 2021, as such it is submitted that the accused in whose confession, the name of the petitioner transpired has been granted bail as such the petitioner also deserves to be enlarged on bail.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sonbarsa P.S. Case No. 167 of 2021 with a



condition that one of the bailors of the petitioner shall be his father Ramprit Sah.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, then the learned court below shall forthwith cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

Gaurav Kumar/-

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