

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16 of 2023

Arising Out of PS. Case No.-113 Year-2021 Thana- MUNGER MUFFASIL District- Munger

MD. SHAMIM @ THOMA S/O LATE MD. ISRAIL Resident of village-
Mirzapur Bardah, P.S.- Muffasil, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4976 of 2023

Arising Out of PS. Case No.-113 Year-2021 Thana- MUNGER MUFFASIL District- Munger

CHAUDHARY SINGH @ CHODHARI SINGH Son of Ramotaar Singh
Resident of Village- Sita Kund Dih, P.S.- Muffasil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16 of 2023)

For the Petitioner/s : Mr. Sanjeev Kumar Nirala, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

(In CRIMINAL MISCELLANEOUS No. 4976 of 2023)

For the Petitioner/s : M/s Deep Anshuman

Deep Nishi, Advocates

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 29-04-2023

1. Heard learned counsel for the parties.

2. The two petitioners in the two applications have
prayed for grant of regular bail in connection with Munger
Muffasil P.S. Case no. 113 of 2021 registered under sections
304, 279, 427 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners in both



the applications were said to be boatman. As a result of their overloading of the boat with passengers and other goods, it is stated that the boat capsized as a result of which two of the passengers named in the FIR died as a result of drowning.

4. Learned counsel for the petitioner Md. Shamim submits that the petitioner has been falsely implicated in the case. There was no intention on part of the petitioner to kill any person. From the contents of the FIR itself it would be clear that it was an accident which resulted in the death of the two passengers. The petitioner is in custody since 20.9.2022 and chargesheet has been submitted in the case.

5. Learned counsel appearing for the petitioner Chaudhary Singh adopted the submissions made by learned counsel appearing in the connected case and further submits that the petitioner is in custody since 23.8.2022 and chargesheet has been submitted in the case.

6. Heard learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the submissions made, the petitioners being in custody since 20.9.2022 and 23.8.2022 respectively and investigation in the case having concluded with submission of chargesheet, the



petitioners are directed to be enlarged on bail in connection with Munger Muffasil P.S. Case no. 113 of 2021 on each of them 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, Munger.

(Partha Sarthy, J)

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