

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17681 of 2023

Arising Out of PS. Case No.-364 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

Pradeep Kumar S/O Lal Babu Sah R/O Village- Dhanhara, P.S- Runnisaidpur,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Zainul Abedin,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail, who is in custody since
17.08.2022 in connection with Runnisaidpur P.S. Case No. 364
of 2020, F.I.R. dated 05.08.2020 for the offences punishable
under Sections 147, 148, 447, 323, 325, 341, 307, 302 and 504
of the Indian Penal Code.

According to prosecution case, the informant alleges
that on 15.08.2020, Sunil Kumar along with 15-20 accused
came to the house of the informant and alleged that they have
got his liquor seized, on which the brother of the informant
objected saying that they had no role in the seizure of liquor, on
which the accused persons brutally assaulted his brother,
nephew and bhabhi. It is further alleged that the brother died



during the course of treatment.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that from bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the similarly situated several co-accused persons have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexure-3 series to this bail petition, co-accused person, namely, Ram Sakal Sah @ Sakkal Sah has been granted bail by this Court vide order dated 17.05.2023 passed in Cr. Misc. No.17939 of 2023 and the police, after investigation, has submitted the chargesheet against the petitioner and the petitioner is in custody since 17.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-XI, Sitamarhi in



connection with Runnisaidpur P.S. Case No. 364 of 2020,with
the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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