

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59511 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- SANGRAMPUR District- Munger

1. Brahmadeo Das Son of Late Bhakur Das R/V- Jagatpura, P.S- Sangrampur (Tetiyabamber) Dist- Munger
2. Dilip Das Son of Brahmadeo Das R/V- Jagatpura, P.S- Sangrampur (Tetiyabamber) Dist- Munger
3. Akash Das Son of Brahmadeo Das R/V- Jagatpura, P.S- Sangrampur (Tetiyabamber) Dist- Munger
4. Subodh Das Son of Brahmadeo Das R/V- Jagatpura, P.S- Sangrampur (Tetiyabamber) Dist- Munger
5. Neelam Devi @ Neelam Kumari Wife of Subodh Das R/V- Jagatpura, P.S- Sangrampur (Tetiyabamber) Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons assaulted the husband of the informant with fists, slaps and legs, due to which husband of the informant became unconscious and fell down on the ground. Thereafter, husband of the informant was brought to Doctor,



where he was declared dead.

Learned counsel for the petitioners submits that the petitioner nos. 2 to 5 have clean antecedents whereas petitioner no. 1 carries one more case other than the present one and they have been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including these petitioners and the postmortem report of the deceased does not support the allegation as alleged in the F.I.R. He further submits that co-accused persons namely Punam Devi and Puja Devi have been granted bail by a Coordinate Bench of this Court vide order dated 09.12.2022 in Cr. Misc. No. 51448 of 2022 and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 25.06.2022.

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

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 265 of 2022 arising out of Sangrampur (Tetiyabamber) P.S. Case No. 80 of 2022, with the following conditions :-



(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Ibrar//-

U		T	
---	--	---	--

