

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66198 of 2023

Arising Out of PS. Case No.-318 Year-2014 Thana- AMARPUR District- Banka

Jawahar Das @ Jawhar Das, S/o Late Doman Das, R/o Village- Jankipur, P.S.-
Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-10-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Sessions Trial no. 491 of
2023 (arising out of Amarpur P.S. Case no. 318 of 2014)
registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states
that as a result of some dispute between the parties, co-accused
Kailash Das assaulted the husband of the informant with an iron
rod on his head as a result of which he fell down injured. The
other accused persons including this petitioner also assaulted.
The husband of the informant died.

4. It is submitted by learned counsel for the petitioner
that on investigation final form was submitted in the case,



however, subsequently cognizance was taken. The petitioner did not have information about cognizance being taken. It is further submitted that Sessions Trial no.53 of 2015 has ended in the acquittal of the co-accused. The petitioner surrendered and is in custody since 1.4.2023.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegations in the FIR, final form having been submitted in the case though, subsequently, cognizance was taken differing with the said final form, the petitioner being in custody for more than 6 months since 1.4.2023 and Sessions Trial being pending against this petitioner in the learned trial Court, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 491 of 2023 (arising out of Amarpur P.S. Case no.318 of 2014) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Banka.

(Partha Sarthy, J)

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