

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68919 of 2022**

Arising Out of PS. Case No.-376 Year-2020 Thana- KESARIA District- East Champaran

RANJIT KUMAR Son of Jokhu Sahani @ Lakbabu Sahani Resident of
village - Dhekha, P.S.- Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr. J.N.Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 14-03-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 147, 148,
149, 341, 342, 323, 324, 302, 504 and 506 of the Indian Penal
registered in connection with Kesariya P.S.Case No. 376 of
2020.

As per allegation, when the informant's father was
serving his horse in his tent, 17 named accused persons, along
with 15-20 unknown persons, entered into that tent and
assaulted the informant and his father. Co-accused Shambhu
Sahani and Jagglilal Sahani made the informant captive and co-
accused Deepak Sahani assaulted on the head of the informant's



father with a rod. With the help of the villagers, his father was brought to the hospital where he died in course of treatment.

The learned counsel for the petitioner has submitted that he is not named in the FIR. There is no allegation of assault against the petitioner, neither he is the order giver. As a matter of fact, on the date of occurrence, the deceased suffered some injuries dashed by a motor-cycle, which was being driven by the petitioner, and this fact emerged during the course of investigation and the charge-sheet has been submitted under Section 304A of the IPC. He has submitted further that the petitioner is in custody since 23.05.2022.

The petitioner is not named in the FIR. There is no specific allegation against him and he is in custody since 23.05.2022.

Considering the above facts and circumstances, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Kesariya P.S.Case No. 376 of 2020, subject to the following conditions:-

1. The petitioner shall cooperate in



the disposal of trial and make available as and when required by the court.

2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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