

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68130 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- DANDARI District- Begusarai

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Ramdev Sah @ Ramdev Soni @ Ramdeo Sah @ Ramdeo Soni S/o Bishundev
Sah @ Bishundev Soni R/v- Tetri, P.S.- Dandari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 27-02-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Shashank Shekhar, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Dandari P.S. Case No. 30 of 2022, registered
for the offences punishable under Sections 147, 149, 353, 427 of
the Indian Penal Code.

It is alleged that on account of the death of one Pinky
Devi during course of her treatment, all the sixteen named
accused persons including the petitioner and 20-25 unknown



persons entered into the Primary Health Center, Dandari, Begusarai and vandalized the hospital causing loss to the government property.

Learned counsel appearing on behalf of the petitioner submits that the petitioner being relative of the Pinky Devi, who died during the course of treatment, was present at the Primary Health Center, his name has been implicated in this case, though there is no specific allegation of any overt act against him. He further submits that the occurrence took place on 16.04.2022 and this FIR has been instituted after a delay of four days without assigning any plausible reason for delay. It is submitted at the bar that other co-accused persons having identical allegation have been allowed privilege of bail by learned Coordinate Bench of this Court in Cr. Misc. No. 70893 of 2022 vide order dated 08.02.2023, moreover the petitioner is in custody since 21.08.2022 and now the investigation of crime is already complete.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the general and omnibus nature of allegation, coupled with the fact that other co-accused persons



having identical allegation have been allowed privilege of bail by learned Co-ordinate Bench of this Court, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Begusarai in connection with Dandari P.S. Case No. 30 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail



bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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