

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21884 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- JAMHOR District- Aurangabad

Suryadeo Singh S/O Narayan Singh R/O Village- Makhra, Tola Mani Bigha,
P.S- Jamhore, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Adv.
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP
For the Informant : Mr. Tej Narayan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Jamhore P.S. Case No. 229 of 2023 instituted for the offences
under Sections 302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner
along with other co-accused persons abused and assaulted the
informant for refusing to give cigarette. Co-accused Pawan
Singh assaulted the mother of the informant and later on all the
accused persons assaulted her by means of lathi, legs and fists
till her death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Both the parties are Gotiya and there was old land dispute



between them. Nothing incriminating has been found from the physical/conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus of assaulting by means of leg, fat and fist. The specific allegation of assault by Lathi is on the co-accused Pawan Singh. The petitioner has no criminal antecedent and is languishing in judicial custody since 14.11.2023 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Anuj Singh @ Anuj Kumar has been granted bail by this Court vide order dated 09.05.2024 passed in Cr. Misc. No. 35216 of 2024.

6. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned



Court in connection with Jamhore P.S. Case No. 229 of 2023,
subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family
members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates
without sufficient reasons, his bail bond shall be liable to be
cancelled by the court below.

(iii) If the petitioner tampers with the evidence or the
witnesses of the case by intimidating/pressurizing the witnesses,
during the investigation or trial, in that case, prosecution will be
at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found indulged in any criminal
activity or commission of any crime after being released on bail,
the prosecution will be at liberty to file an appropriate
application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

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