

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54321 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- GAUTAMBUDHNAGAR District- Siwan

Saheb Hussain @ Saheb Ali son of Kudus Mian @ Kudrush Mian Village-
Sangrampur Ps- G.B Nagar Dist- Siwan

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Raghwendra Pratap Singh
For the Opposite Party : Mr.Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 05-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in Sessions Trial No. 372 of 2023 arising out of G.B. Nagar P.S. Case No. 55 of 2023 dated 22.02.2023 registered for the offences punishable u/ss 147, 149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused person were cutting the bamboo of the informant. When the family members of the informant protested, all the accused persons started abusing and assaulting them severely with lathi and bamboo causing injury and during the course of treatment the informant's brother died.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 03.04.2024 passed in Cr. Misc. No. 5272/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.03.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Sessions Trial No. 372 of 2023 arising out of G.B. Nagar P.S. Case No. 55 of 2023, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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