

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59072 of 2024

Arising Out of PS. Case No.-113 Year-2024 Thana- KESARIA District- East Champaran

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Ramlal Sah @ Dhora Son of Shambhu Sah Resident of Village- Dhekaha,
P.S.-Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Adv.
For the Opposite Party/s :	Mr. Md. Mushtaque Alam, APP.
	Mr. Vijay Shankar Shrivastava, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 147, 341, 323, 448, 304, 504, 506, 149 of IPC.

3. The prosecution case, in brief, is that the father of the informant was a Headmaster in Upgraded Madhyamik Vidyalaya, Dhekahan Math. While he was performing his duty in the said school, the accused persons including the petitioner allegedly caught his collar and dragged him. In due course, he felt pain in his chest and became unconscious. On information, the informant rushed there and took away him to hospital for treatment, where the doctors declared him dead.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. All the allegations leveled against the petitioner are false and based on concocted facts. It is further submitted that nothing specific has been attributed against the petitioner. The allegation levelled in the FIR has not been supported by the postmortem report. The real fact of the matter is that the deceased died due to heart attack, but due to dirty village politics, this false case has been lodged against the petitioner after delay of four days. It is further submitted that similarly situated co-accused has been enlarged on anticipatory bail by this court vide order dated 17.10.2024 passed in Cr. Misc. No. 68320 of 2024. Learned counsel further submits that the petitioner has no criminal antecedent and he has been languishing in custody since 04.06.2024.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the fact that there is no specific overt against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/the Successor Court, in connection with Kesariya P.S.
Case No. 113 of 2024.

7. Accordingly, the application stands allowed.

(Anjani Kumar Sharan, J)

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