

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71115 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Shubham Kumar Son of Ashok Sah village - Hilalpur, P. S - Industrial Area ,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Industrial Area P.S.
Case No. 84 of 2024, instituted for the offences punishable
under Sections 341, 323, 324, 307, 447, 354(B), 379, 504, 506
and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner
along with other co-accused persons armed with weapons
brutally assaulted the informant and her son due to which they
sustained injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is no specific allegation attributed against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. There is case and counter case between the parties. It is further submitted that specific allegation of assault is against co-accused Ashok Sah. The petitioner is in custody since 05.08.2024 and has got three criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Industrial Area P.S. Case No. 84 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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