

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77238 of 2023

Arising Out of PS. Case No.-323 Year-2023 Thana- SITAMARHI District- Sitamarhi

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ARUN SAH @ ARUN KUMAR S/O LATE RAGHUNATH BHAGAT @
RAGHUNATH SINGH @ GAGANDEO BHAGAT @ GGANDEO
BHAGAT R/O VILL - TALAKHAPUR DUMRA/DUMARI BARI BAZAR
MALL EK PICHE, P.S. - DUMRA, DIST – SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Kumar, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Vikash Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case no.323 of 2023 registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the accused persons including the petitioner herein are said to have come and as a result of assault by the accused, one Raja died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Even as per the F.I.R., the allegations are general and omnibus in nature. The



petitioner is in custody since 24.4.2023 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R. but there is direct allegation against him of having actively participated in the occurrence with the inquest report and post-mortem report supporting the allegations in so far as multiple injuries caused by hard and blunt substance have been found. Further, the petitioner has been trying to tamper the evidence having obtained affidavits from different witnesses on behalf of the prosecution. The co-accused Nischit Singh has two dozens cases against him. The informant happens to be the mother of friend of the deceased.

6. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation against the petitioner together with the petitioner having remained in custody for 10 months since 24.4.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sitamarhi P.S. Case no.323 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial
Magistrate, Sitamarhi.

(Partha Sarthy, J)

Saurabh/-

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