

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82779 of 2023

Arising Out of PS. Case No.-175 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

Rahul Sah Son Of Sanjay Sah Resident Of Village - Gamhari, P.S.-
Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachina

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they assaulted the informant's son due to which he sustained injuries and later on he died during the course of his treatment. The reason behind this as alleged occurrence is said to be dispute in respect of playing obscene songs in Orchestra.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. No specific overt act of



assault rather general and omnibus allegation has been levelled against all the accused persons including this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated several co-accused persons have already been granted bail by another co-ordinate Bench of this Court vide Annexure-3 series of this petition. Moreover, he is languishing in judicial custody since 05.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Baikunthpur P.S. Case No. 175 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj.

(Sunil Kumar Panwar, J)

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