

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44713 of 2014

Arising Out of PS.Case No. -22 Year- 2014 Thana -NASRIGANJ District- SASARAM (ROHTAS)

Bajinath Prajapati, Son of Late Shree Sohram Pandit and resident of village-
Nasriganj, Ward No.-4, P.S.- Nasriganj, District- Rohtas at Sasaram

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha No-1

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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6 06-05-2015 Heard Sri Anjani Kumar Sinha -1, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody since 07.02.2014 in
connection with Nasriganj P.S. Case No.22 of 2014 registered for
the offence under Section 302 and other allied Sections of the
Indian Penal Code, has prayed for grant of bail.

Learned counsel for the petitioner submits that from
F.I.R. itself, it appears that in a spur moment occurrence had
taken place and there was no planning for committing such
offence. It was further submitted that there is general and omnibus
allegation. He submits that out of three accused persons, who
were named in the F.I.R. , two accused, namely, Anil Kumar
Prajapati and Vidyanand Prajapati, who are sons of the petitioner,

have already been extended the privilege of bail by order dated 25.09.2014 passed in Cr.Misc.No.35608 of 2014.

Learned Addl. Public Prosecutor has opposed the prayer for bail of the petitioner. It was submitted that in the case diary, there is specific allegation against the petitioner of giving spade blow on the head of the deceased and due to said injury, the injured died.

Keeping in view the fact, particularly the fact that occurrence had taken place due to dispute relating to irrigation of the field and also the fact that other two accused persons have already been granted bail, there is no reason to deny the privilege of bail to the petitioner. Let the petitioner, namely, Baijnath Prajapati be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Nasriganj P.S. Case no.22 of 2014.

(Rakesh Kumar, J)

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