

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52133 of 2014

Arising Out of PS.Case No. -295 Year- 2014 Thana -KOTWALI District- MUNGER

1. Rajan Panda Son of Umesh Prasad resident of village - Chandi Asthan,
Police Station - Kotwali, District - Munger..... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 03-03-2015

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kotwali
P.S. Case No. 295 of 2014 registered for the offence punishable
under Sections 341, 323, 326, 307/34, 504/304 of the Indian Penal
Code.

Allegedly, co-accused Nanda Panda gave order for
killing the informant's father upon which the petitioner caught the
father of the informant and co-accused Chotu Panda assaulted the
father of the informant with rod on his head and he fell down and
became unconscious and during treatment he succumbed to the
injuries.

Submission is of false implication due to local
temple politics, the petitioner and his family members are the

authorized priest of Chandi Ashthan Temple and they are authorized to give Kajal. The father of the informant was aged about more than 70 years and some altercation took place and during altercation, he fell down and sustained injury resulting his death during treatment. The petitioner as alleged is not the assailant of the deceased and as such he deserves sympathetic consideration as he is suffering in custody since 21.10.2014 having no criminal antecedent to which the learned APP opposes.

In the facts and circumstances stated above and considering that the petitioner is not the assailant, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 295 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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