

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34712 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -TIYAR District- BHOJPUR

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Ajay Singh @ Yadu Singh son of Kamta Singh resident of village - Araila,
P.S. - Tiyar, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 12-08-2015 Learned counsel for the petitioner is permitted to
make correction in para-1 of the petition.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in a case registered
for the offence punishable under Section 304/34 of the
Indian Penal Code.

The allegation against the petitioner and the co-
accused is to have come to the residence of the
informant in the night on 21.7.2014 and brutally
assaulted the deceased. Thereafter, the deceased was
taken to the doctor. After treatment he was brought
back to his house. On the third day, i.e., on 23.7.2015
his condition deteriorated and he was taken to hospital
and during treatment he died.

It is submitted on behalf of the petitioner that
there is no specific allegation of overt act against the
petitioner. The petitioner has no criminal antecedent
and he has been in custody since 11.8.2014.

A report was called for from the learned trial court. It has been reported that charge has been framed against the petitioner on 5.5.2015 and the case was fixed for evidence on 24.6.2015, summons have been served on the witnesses but nor a single prosecution witness has been examined and the trial can be concluded within 18 months.

Considering the facts and circumstances of this case, the above-named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge, Bhojpur at Ara, in Sessions Trial no. 45 of 2015 arising out of Tiya P.S. Case No. 45 of 2014 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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