

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8777 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana –KADIR GANJ District- PATNA

1. Mahesh Bind S/o Late Musafir Bind R/o Village- Pakaura, P.S., Kadir
Ganj, District- Patna. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray

For the Opposite Party/s : Mr. Pushpa Sinha-Ii(App)

CORAM: HON'BLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 10-04-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Kadir Ganj
P.S. Case No. 75 of 2014 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code.

Allegedly the son of the informant Ram Ratan Bind
was sleeping near P.C.C. Road and about 3 A.M., the petitioner
and other co-accused came there and awoke Ram Ratan Bind and
took away to other place in spite of protest made by the informant.
Due to alarm being raised, the other son Nepali Bind of the
informant also came and both saw that near the house of Jogi Bind
the accused persons committed murder of Ram Ratan Bind by
stabbing. The motive behind the occurrence is land dispute.

Submission is of false implication and there is no
specific allegation. There are nine accused persons and who

stabbed the son of the informant is not mentioned nor it has come during investigation. Co-accused Munaki Devi has already been allowed bail by another Bench of this Court vide order dated 16.01.2015 passed in Cri. Misc. No. 1137 of 2015 and the petitioner by remaining in custody since 27.09.2014 has been sufficiently penalized to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that there is no specific allegation against the petitioner and as such considering his detention and further the chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and as such 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 B.K. Singh, Judicial Magistrate, 1st Class, Masaurhi arising out of Kadir Ganj P.S. Case No. 75 of 2014 subject to the conditions that one of the bailors must be 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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