

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44546 of 2014

Arising Out of PS.Case No. -92 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Maheshwar Rai, Son of Late Ram Shobhit Rai, Resident of Village-
Koralhiya, P.S.- Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 04-03-2015 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code and subsequently, Section 302 I.P.C. was added.

The allegation against the accused including the petitioner is to have assaulted Pramod Rai, nephew of the informant and thereafter, he was taken to the hospital where he died during treatment.

It is submitted that there is no specific allegation of overt act against the petitioner. During investigation, the informant has made his restatement as mentioned in paragraph 7 of the case diary which shows that Amarjit Rai, the son-in-law of Maheshwar Rai (petitioner) assaulted with *Musar* on the head of the deceased

Pramod Rai and other accused including the petitioner made brick batting. However, after investigation, charge sheet has already been submitted. The petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in Runnisaipur P.S. Case No.92/2014 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)

V.K. Pandey/-

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