

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1651 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -SARAN GRP CASE District- SARAN

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Bijuli Prasad @ Bizali Prasad, son of Late Bhikhari Prasad, Resident of
Village- Ram Nagar, Shiv tola, P.S.- Chapra Muffasil, District-Saran at
Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Basant Kumar Singh

For the Opposite Party : Mr. Indu Kri.Srivastav(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 23-02-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Chapra
Rail P.S. Case No. 43 of 2015, registered under Section 328, 379
and 411 of the Indian Penal Code.

The allegation of informant Agre Hussain is that he
was at Chapra railway station for going to Siwan in the mean time,
one person aged about 40-45 years came there and offered some
sweet (Peda), while he refused to take the same, but on repeated
requests, he took the said sweet and after eating it, he became
unconscious and subsequently, he found himself in Sadar
Hospital, Chapra under treatment. When he gained his
consciousness, Railway Police, Chapra took him at Police Station,

where he was asked to identify one person, who was present there then he identified that person, who administered him poisonous sweet, who disclosed his name as Bijli Prasad (Petitioner).

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner has been made accused in three other cases, as detailed in para-02 of the petition and due to that reason, Police apprehend the petitioner merely on suspicion and kept him in the Police Station, where the informant was asked to identify this petitioner and the informant identified the petitioner on the pressure of the Police. Further submission is that petitioner is in custody since 29.08.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Sonapur Saran in connection with Chapra Rail P.S. Case No. 43 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates

during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

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(Rajendra Kumar Mishra, J.)

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