

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6148 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -GOVINDPUR District- NAWADA

1. Chhotelal Ram @ Chhotey Lal Ram, Son of Madari Ram, resident of Village- Sughri, Police Station- Govindpur in the district of Nawada.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 24-02-2016

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

Petitioner seeks bail in connection with Govindpur P.S. Case No. 98 of 2015 registered for the offences punishable under Sections 147, 148, 149, 302, 201 of the Indian Penal Code.

Allegedly, in the occurrence co-accused Ram Bali Ram intended to give Tangi blow on the head of the informant but hit on the neck of Indradeo Prasad the brother of the informant and then the accused persons dragged Indradeo Prasad in the house of Dewa Ram where co-accused Karu Ram gave Tangi blow twice on his head, resulting, he succumbed to the injuries and the accused persons threw the dead body in paddy field.

Submission is of false implication and that against the petitioner there is no allegation for committing any overt act,

specific allegation is against co-accused Ram Bali Ram and Karu Ram and as such the petitioner who is suffering in custody since 24.10.2015 deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that the petitioner is not the assailant.

In the facts and circumstances stated above, 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 Additional Chief Judicial Magistrate, Nawada in connection with Govindpur P.S. Case No. 98 of 2015, 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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