

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14488 of 2016

Arising Out of PS.Case No. -322 Year- 2015 Thana -PIRO District- BHOJPUR

Rajesh Sao @ Halwai Rajesh Sah @ Halwai Rajesh Shaw son of
Kameshwar Sah, resident of village- Agiaon Bazar, P.S.- Agiaon Bazar,
District- Bhojpur, Ara, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Rai

For the Opposite Party/s : Mr. Bharat Bhushan(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 13-05-2016 Heard the learned counsel for the petitioner and the
learned A.P.P representing the State.

The petitioner seeks bail in connection with Piro
P.S. Case No. 322 of 2015 registered for the offences punishable
under Sections 302, 201/34 of the Indian Penal Code.

Allegation is that Krishna Singh @ Sadhu Ji and
others told the informant that the petitioner and other FIR named
accused persons were assaulting Ashok Singh with allegation that
he has committed theft of mobile resulting his death and further
they have taken away the dead body in Sumo Vehicle.

Submission is of false implication and that there is
no legal and tangible material against the petitioner, the informant



is not the eye witness of the occurrence and there is no specific allegation against the petitioner. During investigation, the witnesses being on inimical term have taken the name of the petitioner, the deceased was of ill mental health and was addicted to take Ganja and in this case, similarly situated co-accused Prinsh Rai has already been allowed bail vide Criminal Misc. No. 57589 of 2015 and further Biki Kumar has also been allowed bail. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence. The petitioner has got no criminal antecedent and he is suffering in custody since 08.12.2015.

The learned A.P.P does not oppose the aforesaid contention.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro P.S. Case No. 322 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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