

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50194 of 2016**

Arising Out of PS.Case No. -154 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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Ganesh Rai, son of Late Hanuman Rai, resident of Village Mohammadpur  
(Koirin Nizamat), P.S. Paroo, District Muzaffarpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      15-12-2016                      Heard learned counsel for the petitioner  
  
and learned APP for the State.

Petitioner is languishing in custody since  
26.08.2016 in connection with Paroo P.S. Case No. 154/16  
for offences punishable under Section 302 and other allied  
Sections of the Indian Penal Code.

The prosecution case, as lodged by the wife  
of the deceased, is that there was a land dispute regarding  
Sisam tree, for which the petitioner along with other seven  
co-accused variously armed came to the house of the  
deceased. Awadh Rai was the order giver, Ajay Rai inflicted  
sword blow on the deceased and petitioner assaulted him by  
iron-rod.

It has been submitted by the learned counsel



for the petitioner that he is innocent, has no criminal history and that the post mortem report also specifies that the injury was by sharp cutting weapon. It is submitted that there is no direct allegation upon the petitioner and he undertakes not to tamper with the prosecution evidence or abscond.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and the submissions of the parties, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Aditya Kumar Singh, learned Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur, in connection with Paroo P.S. Case No. 154/16.

This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear before the learned Court below as and when directed.



With these observations and directions,  
the application stands allowed.

**(Nilu Agrawal, J.)**

Rajesh/-

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