

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37793 of 2016

Arising Out of PS.Case No. -181 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Jayesh Sah @ Jaiyas Sah S/o Sambhu Prasad Sah Resident of Mohalla -
Sundarpur Chhatthi Pokhar, P.S. L.N.M.U., Distt. Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kedar Jha, Advocate

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner seeks bail in connection with Laheriasarai
P.S Case No. 181 of 2016 registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 302, 120(B) of the Indian
Penal Code.

Allegedly, the son of the informant was stabbed by F.I.R
named accused persons due to old enmity and he died during course of
treatment and the petitioner is also named as one of the accused.

Submission is of false implication and that the petitioner
is in custody since 02.05.2016, chargesheet has already been submitted
against the petitioner and there is no chance of tampering with the
prosecution evidence against the petitioner, there is no specific
allegation rather the allegation are general and omnibus in nature. In

this case similarly situated Gautam Kumar Singh @ Gautam Singh @ Jonty has been allowed bail by another co-ordinate Bench of this Court, and as such the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that petitioner is named in the F.I.R.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No. 181 of 2016, subject to the conditions that one of the bailors must be 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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