

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17273 of 2016**

Arising Out of PS.Case No. -113 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

1. Lalan Singh Son of Late Ramashish Singh Resident of Village- Khairva  
Khurd, P.S.- Mejarganj, District- Sitamarhi..... .... Petitioner

Versus

1. The State of Bihar .... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Subodh Kumar

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

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

**ORAL ORDER**

4 20-06-2016

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

The petitioner seeks bail in connection with Mejarganj  
P.S. Case No. 113 of 2015 registered for the offences punishable under  
Sections 341, 323, 324, 307, 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other FIR named accused  
persons came near the house of the informant, told him to cut the  
branch of guava which is lying inside his land to which the informant  
protested and asked to cut the bamboo which also lying upon the land  
of the informant and then all the accused persons started assaulting the  
informant with Tengari and when the son of the informant came for  
rescue, he was assaulted brutally on his head, other ladies accused  
assaulted the wife of the informant and during treatment the son of the  
informant died.

Submission is of false implication and that there was no  
intention to commit murder, the occurrence took place at the spur of

moment, similarly situated co-accused Raman Singh and Shambhu Singh have been allowed bail vide Cr. Misc. No. 48210 of 2015 and Baban Singh has been allowed bail vide Cr. Misc. No. 17707 of 2016 by another co-ordinate Bench of this Court and the petitioner is suffering in custody since 30.01.2016.

Learned APP submits that the petitioner has got criminal antecedent.

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 Chief Judicial Magistrate, Sitamarhi in connection with Mejarganj P.S. Case No. 113 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)**

avin/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|