

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13272 of 2016

Arising Out of PS.Case No. -99 Year- 2014 Thana -SAHKUND District- BHAGALPUR

1. Prakash Singh @ Prakash Mandal Son of Late Dukhan Mandal, resident of Village- Chhoti Chandpur, P.S. Sajour, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Mr. Akbar Ali (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 10-05-2016

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

The petitioner seeks bail in connection with Sajour (Sahkund) P.S. Case No. 99 of 2014 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

It is submitted that against the petitioner there is only allegation that he was present at the place of occurrence, there is no specific allegation against the petitioner for committing any overt act, due to family dispute the occurrence has taken place, Prakash Singh son of Late Sant Lal Singh against whom there is allegation for assaulting the deceased with dabiya along with other co-accused has already been allowed bail vide Cr. Misc. No. 47139 of 2014 and further other co-accused Changori Mandal and Shatrughan Singh have also been allowed bail by another co-

ordinate Bench of this Court and as such the petitioner who is suffering in custody since 28.11.2015 having no criminal antecedent deserves sympathetic consideration to which learned APP fairly submits that Prakash Singh son of Late Sant Lal Singh and other co-accused have been allowed bail.

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 Ist Additional Sessions Judge, Bhagalpur in connection with Sajour (Sahkund) P.S. Case No. 99 of 2014, 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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