

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2271 of 2017

Arising Out of PS.Case No. -364 Year- 2007 Thana -PURNEA SADAR District- PURNIA

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1. Ram Prasad Uraon, son of late Daso Uraon,
 2. Chamak Lal @ Jawahar Uraon @ Chaman Kumar Uraon, son of Sri Ram Prasad Uraon, resident of Village- Kalsar, P.S.- Dandkhora, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate.

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-02-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Sessions Trial No. 407 of 2016 arising out of Sadar P.S. Case No. 364 of 2007 instituted for the offence under Sections 302/34 of the Indian Penal Code.

It has been submitted that there is error of record committed by the learned Sessions Judge in the impugned order that the witnesses Amar Nath Yadav had seen the petitioner running away from the place of occurrence after giving knife blow to the informant. He has further submitted that accused persons namely, Sri Lal Uraon, Harish Uraon, Harish Chandra Uraon and Niranjan Uraon have faced trial in Sessions Trial No.



153 of 2009 and 172 of 2010 and they have been acquitted in the case. It has further been submitted that charge has been framed against the petitioners in the lower court on 19.10.2016, but no any witness has been examined till date.

From the written report it appears that the petitioners are not named in the case diary. Besides suspicion, there is no any allegation of specific overt act against the petitioners. The petitioners are in custody since 21.7.2016 and 17.7.2016 respectively.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri H.P. Tripathi, learned 5th Additional Sessions Judge, Purnea, in connection with Sessions Trial No. 407 of 2016 arising out of Sadar P.S. Case No. 364 of 2007, subject to the condition that both the bailors will be the close relatives of the petitioners.

Both the petitioners shall cooperate in trial and in any manner will not try to hamper the trial by intimidating or influencing the witnesses and will remain present on each and every date till disposal of the trial. Any two subsequent defaults



will result in cancellation of bail bonds of the petitioners in the court below.

S.Ali/-

(Sanjay Priya, J)

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