

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3304 of 2017

Arising Out of PS.Case No. -364 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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Mohit Rai, S/o Late Bhadai Rai, R/o Vill Jhitkahia, P.S.- Sakra, Dist-
Muzaffarpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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

ORAL ORDER

3 03-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Sakra P.S. Case
No. 364 of 2015 registered for the offences punishable under
Sections 302, 201, 120B and 34 of the Indian Penal Code.

Allegedly, Uday Kumar, the son of the informant, was
taken away by his father-in-law, Lalu Rai @ Pramod Rai, and
thereafter, he was killed in his in-laws house and his dead body
was burnt and was made traceless and accordingly, against in-laws
including the wife and the petitioner who is grandfather-in-law the
case has been lodged.

Submission is of false implication and that there is no
eye witness of the occurrence, the petitioner is an old man aged
about 70 years, no one has seen the petitioner in the company of
the deceased, there is no witness regarding actual killing and only



on suspicion the petitioner is suffering in custody since 25.08.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the age of the petitioner and further that there is no chance of tampering with prosecution evidence, 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 A.C.J.M.-cum-Sub-Judge 13th, Muzaffarpur in connection with Sakra P.S. Case No. 364 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)

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