

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35278 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -DIGHWARA District- SARAN

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1. Tukku Rai @ Tinku Rai Son of Dhorai Rai, R/o Village- Saidpur, P.S.-
Dighwara, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Dighwara P.S.
Case No. 54/2017 for offences punishable under Section 304 and
other allied Sections of the Indian Penal Code.

Initially Complaint Case No. 3355/2016 had been
lodged by the informant, which was later on converted into
Dighwara P.S. Case No. 54/17 under Section 156(3) of the Cr.P.C.
The allegation made by the informant is that the petitioner along with
three others took her husband on 02.10.2016 to again work in Devaria
Ice-cream Factory where he left work because of non-payment of
salary. Thereafter on 20.10.2016 the deceased was left on the road



in an injured condition by the petitioner and other accused persons and on 21.10.2016 he succumbed to the injuries in PMCH.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was himself a labourer in the said ice-cream factory where the informant's husband worked. He submits that no motive is assigned and there is no eye-witness to the alleged occurrence. He further submits that petitioner is in custody since 03.05.2017, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Chapra, Saran, in connection with Dighwara P.S. Case No. 54/2017, subject to the condition that one of the bailors would be a close relative of the petitioner and petitioner will appear before the learned court below during trial as and when required and failure



to appear on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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