

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39140 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -PAROO District- MUZAFFARPUR

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Surendra Singh @ Surendra Nath Singh son of late Amir Singh resident of
village Gokhula P.S. Paroo Dist. Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-08-2017

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

Let copies of the medical report and charge sheet of
Paroo P.S. Case No. 135 of 2016 be kept on record.

This is a case registered under Sections 302/34 and
120(B) of the Indian Penal Code.

The allegation as per FIR is that the brother of the
informant was assaulted by 'Chura' by five named and four
unknown persons. It is further alleged that while the victim was
being assaulted, the informant fled away and when he returned he
saw his brother injured. The informant had taken the victim to the
hospital where he was declared to be dead by the Doctors.

Counsel for the petitioner submits that he is aged
about 60 years and is suffering from cancer since 2016 and that he
has been arrested on 03.05.2017 just one day after lodging of the



case. His further submits that he has been implicated in this case because he is on inimical terms with the brother of the informant (victim). He also submits that the instant case has been lodged as a counter blast to Paroo P.S. Case No. 135 of 2016 in which charge-sheet has been submitted by the police against the informant of the instant case and his family members. He further submits that the charge-sheet has been filed in the instant case also.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Muzaffarpur in Paroo P.S. Case No. 97 of 2017.

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will



inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

- (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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