

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34638 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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1. Siyaram Rai Son of Late Rameshwar Rai, R/o Village- Ghoghraha, P.S.- Sahiyara, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Mr. Si Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-08-2017 The petitioner seeks regular bail in connection with Bathnaha P.S.Case No.53 of 2017, registered for offences punishable under Sections 302, 34 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is of assaulting the deceased and causing his death.

Submission of the learned counsel for the petitioner is that he is 65 years old person and the whole family members have been made accused in this case. Further submission is that no specific allegation of assault has been attributed against him rather there is allegation that on his instigation, the other accused persons have assaulted causing death of the deceased. It is also submitted that the main allegation is against the two other accused persons of severely assaulting the deceased and the postmortem report also



shows that four injuries of sharp weapon cutting were found on the person of the deceased and the petitioner is in custody for five months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Bathnaha P.S.Case No.53 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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