

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8388 of 2017

Arising Out of PS.Case No. -173 Year- 2014 Thana -MADHUBAN District- -

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Lallan Rai Son of Kodai Rai resident of village - Madhuban, Tola -
Mohanwa, Police Station - Madhuban, District - East Champaran at
Motihari.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302/34 of the Indian Penal Code.

The allegation against the accused persons are of
committing murder of the deceased by brutally assaulted him with
Hasuli, farsha and lathi. The cause of occurrence is said to have
enmity between the parties.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 12.11.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. As per F.I.R., the accused named in the F.I.R. are said to have assaulted the deceased, which lead to his death. Subsequently, in course of investigation, it has come that due to accident made by the petitioner, the deceased is said to have died. At best, it is a case for an offence under Section 304A of the Indian Penal Code, which is bailable.

On behalf of the state, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing 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.-IV, Motihari, East Champaran, in connection with Madhuban P.S. Case No. 173 of 2014.

(Sudhir Singh, J)

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