

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53575 of 2017

Arising Out of PS.Case No. -244 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Ashok Da S/o- Late Tilak Das null
2. Ramo Devi W/o- Ashok Das null
3. Hira Devi W/o- Madhukar Das
4. Chotan Das S/o- Late Paltu Das All resident of Mohalla/ Village- Shiso Purbi, P.S.- Sadar (Mabbi O.P.), District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard the parties.

The petitioners seek regular bail in connection with Sadar (Mobbi O.P.) P.S.Case No.244 of 2017 registered for offences punishable under Sections 147, 148, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners and ten other accused persons is of assault to the deceased causing his death.

Submission of the learned counsel for the petitioners is that there is general and omnibus allegation against the petitioners and specific allegation is attributed against one co-accused who has been granted bail by this Court, vide order dated 20.9.2017 passed in Cr.Misc. No.39468 of 2017 and all other co-accused persons have also been granted bail in this case. It has also been submitted



that the petitioners are in custody for three months and the charge has been submitted.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances as well as the fact that the other co-accused have been granted bail, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with Sadar (Mabbi o.p.) P.S.Case No.244 of 2017.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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