

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52953 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -BHELDI District- SARAN

LALU SINGH SON OF LATE MOHAR SINGH, VILL RAMCHAK, POLICE STATION
BHELDI, SARAN Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party : Mr. Chaubey Jawahar,APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for offence under sections 307, 302 and other allied sections of the IPC.

FIR alleges that the petitioner sent a tractor to plough a disputed land. On protest, petitioner and others started assaulting the informant and when one Vikash Kumar tried to save him, accused Nagendra Singh assaulted Vikash Kumar with a spade on his back who died during treatment.

Counsel for the petitioner submits that the petitioner is not the author of fatal blow. He has no antecedent and is in custody since 5.7.2017.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as mentioned above, 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 Additional Chief Judicial Magistrate XII, Saran at Chapra in Bheldi Police Station Case No. 99 of 2017 on the following conditions:-

(a) 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 him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) 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.

(c) 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.

(d) 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.

(e) 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)

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