

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17891 of 2018

Arising Out of PS. Case No.-7 Year-2017 Thana- DHANGAI District- Bhojpur

Nirbhay Lal, Son of Late Ram Nath Lal, Resident of Village- Dalippur, P.S.-
Dhangai, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Narendra Kumar, Advocate Mr. Dr. Chandra Shekhar Azad, Advocate Mr. Abhay Kumar Upadhyay, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

This is the second round of litigation. Earlier the prayer for bail of the petitioner was rejected vide order dated 18.08.2017 passed in Cr. Misc. No. 34186 of 2017. Petitioner is languishing in judicial custody since 23.02.2017 in connection with Dhangai P.S. Case No. 07 of 2017 registered for the offence punishable under Sections 302 and 120(B)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his younger brother Md. Saddam went to his sister's house and the petitioner along with other co-accused had severely beaten his brother in the house of Ramji Mishra, who succumbed to the injuries.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and general and omnibus allegation has been levelled against him. He submits that some of the co-accused have died 20 years back, but still named in the First Information Report, which falsifies the prosecution story. He further submits that charges have been framed and the petitioner undertakes to cooperate in the trial on day to day basis. It is further submitted that one of the co-accused whose prayer for bail was earlier rejected has since been granted the privilege of bail by this Court in Cr. Misc. No. 46094 of 2017 vide order dated 01.11.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Sujit Kumar, learned Judicial Magistrate 1st Class, Bhojpur at Ara in connection with Dhangai P.S. Case No. 07 of 2017.

(Nilu Agrawal, J.)

Arjun/-

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