

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5221 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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1. Rajesh Kumar @ Chunni Singh, son of Late Sarovar Singh, resident of Village- Jaitpur, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 31-01-2018 Heard learned counsel for the petitioner and learned App for the State.

The petitioner had earlier moved this Court that his prayer for grant of bail was rejected by this Court vide order dated 08.11.2017 in Cr. Misc. No. 36181 of 2017.

Petitioner seeks bail in connection with Sessions Trial No. 197 of 2017, arising out of Barahia P.S. Case No. 97 of 2017 for offences punishable under Sections 302,201,34 of the Indian Penal Code.

The prosecution case is that the petitioner along with six named accused and 3-4 unknown persons took away his father, thereafter, his father was found dead near a river bank. The cause of enmity is that the petitioner had taken Rs. 3,00000/- from the



informant father but did not return.

It has been submitted by the learned counsel for the petitioner that he is innocent. Allegation is upon 10-12 persons and there is no eye-witness to the alleged occurrence. It is further submitted that the petitioner is languishing in judicial custody since 23.05.2017. Charges have been framed and the petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the material on record as well as the undertaking of the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Lakhisarai in connection with S.Tr. No. 197 of 2017 arising out of Barahia P. S. Case No. 97 of 2017, subject to the condition that the petitioner will fully cooperate with the investigation and trial of the case, failing which the bail bond of the petitioner shall stand cancelled by the learned court below.

(Nilu Agrawal, J)

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