

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38844 of 2018

Arising Out of PS.Case No. -101 Year- 2018 Thana -LAHERIASARAI District- DARBHANGA

Priya Prakash S/o Suresh Prasad Yadav, resident of Village- Godhail, P.S.- Ghanshyampur, District Darbhanga at present C/o. Nitish Kumar Goit, Mohalla- Allalpatti, Rasalpur, PS- Bahadurpur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Kumari Rashmi and
Mr. Suresh Pd. Singh No. 1, Advs.

For the Opposite Party/s : Sri Aditya Narayan Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Laheriasarai P.S. Case No. 101 of 2018 registered for offences punishable under sections 147, 148, 149, 341, 323, 324, 326, 307 and 302 of the Indian Penal Code.

The allegation has been made to have killed the brother of informant.

It has been submitted that the informant of this case is not eye-witness to the occurrence. As per FIR, six accused persons surrounded the brother of informant and committed murder. The informant on getting information reached at the place of occurrence. The deceased was moved to Darbhanga Medical College Hospital where in course of treatment he died. Further submission is that in



course of investigation, the witnesses were present but they have not specifically stated against this petitioner rather have stated against Chandan Kumar and Abhishek who assaulted the deceased by knife on his chest. In post mortem report, I find that the doctor has found one wound in the chest of deceased. The petitioner is in custody since 05.03.2018 having clean antecedent.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Darbhanga in connection with Laheriasaria P.S. Case No. 101 of 2018, subject to the following conditions:-

- (i)One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii)The petitioner will not induce any witness or tamper with the evidence.
- (iii)The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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