

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52102 of 2018

Arising Out of PS. Case No.-124 Year-2011 Thana- SARAI RANJAN District- Samastipur

Mukesh Sada S/o Ram Bilash Sada, R/o Vill.- Harilochanpur Tiswara, P.S.-
Sarairanjan, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Sarairanjan P.S. Case No. 124 of 2011** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 307 and 302 of the Indian Penal Code.

Informant in her written report has stated that on 05.10.2011 after taking meal when his husband went to materialize the quarrel between his nephew and co-accused Rajesh Sada, then the FIR named accused persons assaulted him by means of lathi, danda, bricks and stones, on account of which he fell on the ground and later on during the course of treatment died.

It has been submitted on behalf of the petitioner that there is no specific allegation of assault against the petitioner.



Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 27.09.2012 in Criminal Miscellaneous No. 25378 of 2012. Petitioner has got no criminal antecedent and is in custody since 29.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Samastipur**, in connection with **Sarairanjan P.S. Case No. 124 of 2011**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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