

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51894 of 2018

Arising Out of PS. Case No.-251 Year-2017 Thana- RAHUI District- Nalanda

Raushan Kumar, S/o Ambika Yadav, Resident of Village- Musapur, Police Station- Rahui (Bhaganbigha), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Ganesh Sharma, Advocate
For the Opposite Party/s	:	Mr. Amit Kumar, Advocate Mr. Rajnikant Pandey, Advocate
For the State	:	Mr. Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner, learned counsel for the informant and APP for the State.

This is a case registered under Sections 341, 147, 148, 149, 324, 302, 201/34 of the Indian Penal Code.

This is the second attempt of the petitioner for bail. Earlier his prayer for bail has been rejected on 05.04.2018 in Cr. Misc. No. 12391 of 2018. In between bail application of the co-accused Sharma Yadav has been allowed on 08.08.2018 passed in Cr. Misc. No. 39598 of 2018. The allegation against the said Sharma Yadav and the petitioner is same that 'gamcha' belonging to the petitioner as well as Sharma Yadav was found near the dead body of the deceased. Other than this there is no other material against the petitioner. Claiming parity with said Sharma Yadav the petitioner has filed the instant bail application.



Learned counsel for the informant has opposed the prayer for bail however, he is not able to make out any distinction between the case of the said Sharma Yadav and the petitioner.

Considering the submissions made by petitioner's counsel, prayer for bail of the petitioner is allowed. Let the petitioner above named 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 learned 7th. **Additional Sessions Judge, Nalanda** at **Biharsharif** in connection with **S.T. No. 285 of 2018** arising out of **Rahui {Bhagan Bigha} P.S. Case No. 251 of 2017** subject to the conditions :

(I) That 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 the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

(ii) That 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.

Prakash/-

(Madhuresh Prasad, J)

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