

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65236 of 2018

Arising Out of PS. Case No.-4 Year-2017 Thana- NASRIGANJ District- Rohtas

Lal Muni Ram @ Muni Lal Ram son of late Ramnath Ram, resident of
village-Rajandih, P.S. Nasriganj (Rajpur), District-Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sri Dashrath Mehta

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner has earlier moved for bail which was
rejected by order dated 15.11.2017 passed in Cr. Misc. No.
43812 of 2017.

Petitioner is languishing in judicial custody since
06.05.2017 in connection with Sessions Trial No. 357 of 2017
arising out of Nasriganj (Rajpur) P.S. Case No. 04 of 2017 for
the offence alleged under Sections 302, 307, 341, 323, 325, 504,
147, 148, 149 of the I.P.C.

The prosecution case as lodged by the informant is
that while the petitioner along with six others were cutting
Sisam tree from his field, on objection, they started abusing and
assaulting him and his father. When others came to their rescue,



they were also assaulted.

It has been submitted by the learned counsel for the petitioner that he is innocent and bears no criminal antecedent. It is further submitted that there is general and omnibus against all the accused and there was a land dispute between the parties. He submits that some of the co-accused have already been granted the privilege of bail by co-ordinate Benches of this Court in Cr. Misc. No. 18095 of 2018 dated 02.04.2018, Cr. Misc. No. 26436 of 2018 dated 04.05.2018 and Cr. Misc. No. 26181 of 2018 dated 03.05.2018 on similar allegation. It is submitted that the petitioner undertakes to cooperate in the trial on day to day basis.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the informant's father was brutally assaulted and done to death by the petitioner and other co-accused.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Sessions Trial No. 357 of 2017 arising out of Nasriganj (Rajpur) P.S. Case No. 04 of 2017 to the satisfaction



of the learned Additional Sessions Judge-VII, Rohtas at Sasaram, subject to the following conditions:

(1) One of the bails would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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