

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76683 of 2018

Arising Out of PS. Case No.-84 Year-2017 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

Prakash Das @ Pramod Saw S/o Late Hansraj Das, Resident of Village-
Milkichak, P.S. Naya Ram Nagar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sadanand Paswan, Advocate
For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary 1 (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Bhagalpur Rail P.S. Case No. 84 of 2017
registered for the offences punishable under Sections 307, 324,
120(B) of the Indian Penal Code and Section 27 of Arms Act.

Informant has alleged that he had gone to Munger
court where he saw petitioner who took him on his motorcycle
to Sultanganj but in the way there was breakdown and thereafter
they went by Tempo and boarded the Coolie Train at Sultanganj
and petitioner accompanied to Ganganiya and as Train
proceeded from said station someone fired at him from behind
and it has been further alleged by him that his Daughter-in-Law



widow of late Manoj Saw and her father are behind said act and one unknown motorcyclist and petitioner are responsible for said act. He has further stated that his Daughter-in-Law Rinki Devi, has become characterless. Informant subsequently died.

It has been submitted on behalf of petitioner that he has been falsely implicated in this case only on suspicion and there is no material or reason against him for firing upon the Informant. Petitioner has got no criminal antecedent and in one case in which he was made accused and has been acquitted of the charge. Petitioner is in custody since 07.11.2017.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -Ist, Bhagalpur, in connection with S.T No. 530 of 2018 arising out of Bhagalpur Rail P.S. Case No. 84 of 2017, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.



(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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