

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8878 of 2018

Arising Out of PS.Case No. -34 Year- 2017 Thana -DEORIYA District- MUZAFFARPUR

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1. Ekbal Rai S/o Late Anandi Rai, R/o village- Bangra Muza, P.S.- Deoriya,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur
Mr. Devendra Kumar

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 10.07.2017
in connection with Deoriya P.S. Case No. 34/2017 registered for
the offences punishable under Sections 341/323/324/448/307 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
F.I.R. in the present case has been lodged after a delay of
seventeen days for which no plausible explanation has been
offered. It is further submitted that though the petitioner has been
attributed the role of having inflicted with Dab injury on the
informant, the petitioner is not having any criminal antecedent and
there is a land dispute between the parties.



Diary in the present case was called for which has since been received.

Learned counsel appearing on behalf of the State after submits that there is sufficient materials in the case diary and the injury report also corroborates with the prosecution case as stated in the First Information Report.

Having heard learned counsel for the petitioner and learned counsel appearing on behalf of the State and also after perusal of the case diary, it appears that the petitioner has already stayed in custody for almost eight months and he is not having any criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., IIIrd, Muzaffarpur in connection with Deoriya P.S. Case No. 34/2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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