

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22190 of 2018

Arising Out of PS. Case No.-208 Year-2017 Thana- PARASBIGHA District- Jehanabad

Dayanand Prasad S/o Chandrika Prasad, R/o Vill.- Maniyari Tola,
Darogabigha, P.S.- Kako (Bhelawar O.P.), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Parasbigha
P.S. Case No. 208 of 2017 for offences punishable under Section
302 and other allied Sections of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that he had a dispute regarding passage with one Lali Yadav and
on the date of occurrence about 50-60 persons, some named in
the First Information Report and about 20-25 unknown, came
and assaulted the informant's side due to which three persons
succumbed to the injuries.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report and it was a mob attack by 50-60 persons and not specific as to on whose injury death occurred. He submits that all the family members of the petitioner have been made accused because of being on inimical terms and land dispute. He further submits that charge-sheet has already been submitted, petitioner is languishing in judicial custody since 12.11.2017 and he undertakes to cooperate in the trial and appear on day-to-day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jehanabad, in connection with Parasbigha P.S. Case No. 208 of 2017, subject to the following conditions :

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

Rajesh/-

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