

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37087 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -PHULWARI District- PATNA

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Binod Nonia S/o Late Raj Kumar Nonia @ Raj Kumar Mahato, R/v Uttari
Sangat, Kumhar Toli, P.S.- Phulwarisharif, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha
For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 19-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Phulwarisharif P.S. Case No.29 of 2018 registered for the
offences punishable under Sections 302, 120B and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

It is alleged that the son of the informant was
murdered.

It has been submitted that the main allegation is
against co-accused Ajay @ Ajay Shastri and Deepak Mahto @
Steelwa and no overt act has been attributed to the present
petitioner. It has been further submitted that similarly situated



persons, namely, Raso Devi, Shushmi Devi and Randhir Kumar @ Randhir Paswan have been allowed bail by different benches of this court in Cr.Misc.No.21507 of 2018 and Cr.Misc.No.36635 of 2018, respectively. The case of this petitioner stands on similar footing. He is in custody since 16.01.2018 and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. XV, Patna in connection with Phulwarisharif P.S. Case No.29 of 2018 corresponding to G.R. No.391 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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