

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45237 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- BARHIYA District- Lakhisarai

Rajaram Singh Son of late Sri Dev Singh Resident of Village- Khuthadih, P.S. Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv, Mr. Nilesh Kumar,
Adv & Ms. Swati Sinha, Adv
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-09-2018 Heard learned counsel for petitioner and learned counsel for the State as well as learned counsel for the Informant.

Petitioner seeks bail in **Barahiya P.S. Case No. 50 of 2018** for the offence punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is of assaulting the younger brother of the Informant along with FIR named accused persons with lathi, butt of pistol, fists and slaps, who later on died during the course of treatment.

It has been submitted on behalf of the petitioner that he has committed no offence and has been implicated in this case due to land dispute. Similarly, situated co-accused persons



have been granted bail by co-ordinate benches of this Court vide orders 17.09.2018 in Criminal Miscellaneous No. 45227 of 2018 and 29.08.2018 in Criminal Miscellaneous No. 38809 of 2018. Petitioner has got no criminal antecedent and is in custody since 25.05.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Lakhisarai**, in connection with **Barahiya P.S. Case No. 50 of 2018**, with following 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(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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