

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37444 of 2018

Arising Out of PS.Case No. -78 Year- 2018 Thana -BHAGWAN BAZAR District- SARAN

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Nikesh Kumar Singh, Son of Surendra Prasad Singh, Resident of Village-
Dhup Nagar, Dhobawal, P.S.- Khaira, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhagwan Bazar P.S. Case No.78 of 2018 registered for the
offences punishable under Sections 341, 323, 324, 307, 302, 114,
504/34 of the Indian Penal Code.

The allegation as per F.I.R. is that on the order of co-
accused Pramod Singh, the other named accuseds committed
murder of the son of informant.

It has been submitted that the allegation of assault is
against eight accused persons. The specific allegation of causing
stab injury is against Prashant Pathak. It is alleged that this
petitioner and two others assaulted the deceased by fists and



slaps. Another co-accused Pramod Singh, who gave order to assault the deceased, has been allowed bail by one of the coordinate bench of this court in Cr.Misc.No.35356 of 2018 on 25.06.2018. The doctor who conducted autopsy has reported cause of death due to haemorrhage and injuries caused by sharp cut substance. The allegation of assault by fists and slaps is omnibus. The petitioner is in custody since 28.02.2018 having clean antecedent.

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 the learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No.78 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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