

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68858 of 2018

Arising Out of PS. Case No.-354 Year-2016 Thana- CHANDI District- Nalanda

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Jay Kumar, S/o Late Kailash Gope, Resident of Village- Laxmi Bigha, P.S.-
Chandi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Chandi P.S. Case No. 354 of 2016 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegation against petitioner and other co-accused is of pressing the neck of uncle of the informant, as a result of which uncle of the informant died. Land dispute is the reason behind the occurrence.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to land dispute. There is no direct allegation against petitioner and there is no eye witness of the occurrence. Doctor has also not



ascertained the cause of death. It has been further submitted that deceased was aged about 70 years and died natural death. Petitioner is in custody since 01.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Hilsa, Nalanda, in connection with Chandi P.S. Case No. 354 of 2016 subject to the conditions that:-

(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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty 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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