

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65043 of 2018

Arising Out of PS. Case No.-303 Year-2018 Thana- BAHADURPUR District- Darbhanga

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1. Biro Lal Dev, S/o Late Shivjee Lal Dev,
 2. Sanjeela Devi, W/o Biro Lal Dev, Both are residence of Mohalla/Vill.- Dekuli Chatti, P.S.- Bahadurpur (Sonki O.P.), Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-11-2018

Heard learned counsel for the parties.

Petitioners seek bail in **Bahadurpur (Sonki O.P.)**

P.S. Case No. 303 of 2018 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Informant in his written complaint has stated that when he along with his family members protested sowing of paddy crop in their field, then petitioners along with FIR named accused persons assaulted him and his family members by means of Lathi and Tengari.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to land dispute. It has been further submitted that no material against the petitioners has come during investigation.



Petitioners have got no criminal antecedent and are in custody since 04.07.2018.

Considering the aforesaid facts and circumstances of the case and the fact that petitioner no. 2 is lady, let she 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 **Sub Divisional Judicial Magistrate-Darbhanga**, in connection with **Bahadurpur (Sonki O.P.) P.S. Case No. 303 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 represented on each and every date fixed by the court.

(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.

So far as petitioner no. 1 is concerned, considering the nature of accusation, I am not inclined to enlarge him on bail at this stage. Hence the prayer for bail of petitioner no. 1 is rejected.

However, the trial court is directed to expedite the



trial of the petitioners and conclude the same within a period of one year from the date of receipt/production of a copy of this order and if the trial of the petitioners is not concluded within a period of one year, petitioner no.1 would be at liberty to renew his prayer for bail.

(S. Kumar, J)

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