

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66455 of 2018

Arising Out of PS. Case No.-240 Year-2018 Thana- PIRO District- Bhojpur

1. Jitendra Singh

2. Bhuli Singh

Both sons of Dashrath Singh, Both residents of village, Bashwanpsur
(Sakari), P.S. Piro, District, Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surj Bansh Roy

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-12-2018

Heard learned counsel for the parties.

Petitioners seek bail in Piro (Hasan Bazar) P.S. Case No.240 of 2018 registered for the offence punishable under Sections 341, 323, 307, 504/34 and 302 of the Indian Penal Code.

Informant has alleged that on 18.07.2018 when he was demarcating his land, F.I.R. named accused came and objected to it and, thereafter, the petitioners and other accused persons assaulted his father.

It has been submitted on behalf of the petitioners that there is specific allegations of assault against Sushil Singh by bamboo on the head of his father as a result of which, he became unconscious and subsequently died. There is no specific



allegation of any overt act against the petitioners. Allegations are general and omnibus in nature. There is case and counter case of the same incident. Petitioners have no criminal antecedent and they are in custody since 19.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro (Hasan Bazar) P.S. Case No.240 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

