

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2579 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- UCHKAGAON District- Gopalganj

Suraj Tiwary, Male aged 21 years, son of Bishwanath Tiwary, Resident of
Village- Banki Khal, Police Station- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 23-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Uchakagaon P.S. Case No. 151 of 2018
registered for the offences punishable under Sections 307, 452,
326, 302, 120(B) of the Indian Penal Code.

Informant who is father of the deceased has alleged
that on 29.05.2018 at 7:00 A.M. while he, his deceased son and
Ashok Sah were sitting at his door in the meantime co-accused
Suresh Choudhay and Bablu Dubey came there on motorcycle
and Suresh Chaudhary fired upon his son Satyendra Chaudhary
by pistol and when he tried to save him, Bablu Dubey shot him
twice and thereafter they shot fired upon his wife and younger
son also. Thereafter, villagers came and brought them to Sadar



Hospital, where in course of treatment, his son Satyendra Chaudhary died.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is neither named in the F.I.R. nor any incriminating material has been recovered from his person or possession. Petitioner is in custody since 19.06.2018.

Considering the aforesaid fact 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.-IX, Gopalganj, in connection with Uchkagaon P.S. Case No. 151 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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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