

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9232 of 2019

Arising Out of PS. Case No.-522 Year-2018 Thana- HILSA District- Nalanda

=====

Bhishan Prasad @ Bhishan Kumar, aged about 62 years (Male), Son of Late Chamari Gope @ Chamari Yadav, Resident of Village - Loharwa Bigha (Loharbabigha), P.S.-Hilsa, Dist-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan
For the Opposite Party/s : Mr.Ashraf Ansari

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 07-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Hilsa P.S. Case No. **522 of 2018** registered for the offence punishable under Sections 302, 147, 149 read with Section 120(B) of the Indian Penal Code.

Informant has alleged four months back, one Raj Kishore Prasad and his two sons had made deadly attack on his father, however, in order to save him, her mother got firearm injury for which Hilsa P.S. Case No.273 of 2018 was registered and Raj Kishore Prasad was apprehended and sent to jail. Said Raj Kishore Prasad instigated F.I.R. named accused including petitioner and they killed his father after assaulting him by lathi, danda and iron rod.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that petitioner is not an accused in Hilsa P.S. Case No.273 of 2018 and, therefore, he did not have any grudge against the deceased. There is no specific allegation of any overt act against the petitioner. Petitioner is in custody since 20.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa in connection with Hilsa P.S. Case No. **522 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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

