

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13551 of 2019

Arising Out of PS. Case No.-344 Year-2016 Thana- MADHAURAH District- Saran

PARSURAM RAI, Son of Late Ram Pravesh Rai, R/o village- Baradahia, P.S-
Marhowrah, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7/ 17-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Marhowrah P.S. Case**
No.344 of 2016 instituted for the offence under Section(s) 302
and other allied sections of Indian Penal Code.

Prayer of the petitioner for bail was earlier rejected by
co-ordinate Bench of this Court.

Counsel for the petitioner submits that petitioner is in
custody since 09.01.2018.

Report has been received from the Court below from
which it appears that till date three witnesses have been
examined. The Trial Court has mentioned that at least six
months time is required for conclusion of trial.

In the written report, there is allegation that petitioner



with other two accused persons, namely, Shivji Rai and Awadhesh Rai, have assaulted father of the informant with lathi, danda, iron rod causing injury to him, who later on died.

The counsel for petitioner has submitted that Shivji Rai has been granted bail by the Court below on the basis of observation of co-ordinate Bench of this Court in Cr. Misc. No.33927 of 2017. The charge has already been framed in the case and three witnesses have also been examined. This Court finds that there is allegation against three persons of assaulting father of the informant. The doctor during postmortem examination has found blood in right ear, both nostrils and mouth.

Petitioner is in custody since 09.01.2018. As per report of trial Court, only three witnesses have been examined till date.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge-11, Saran**, in connection with **Marhowrah P.S. Case No.344 of 2016 (S. Tr. No.549 of 2017)**, subject to the condition that both



the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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