

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.447 of 2019

Arising Out of PS. Case No.-141 Year-2016 Thana- DORIGANJ District- Saran

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Ajadi Nut @ Azadi Nat s/o Bansi Nat Resident of Village - Lal Bazar, P.S.-
Chapra Mufassil, District-Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 14-03-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 307, 326, 302/34 of the Indian Penal Code.

Informant in his written complaint has alleged that on 22.10.2016 his brother Mukesh Kumar was sleeping in Dalan and a truck was parked by the side of the road and when he heard some noise then he woke up and saw that three unknown miscreants were trying to open the gate of that Truck, on account of which he and Jafar Ansari raised alarm and ran towards them to catch them and thereafter the unknown miscreants inflicted knife blow on the neck of his brother and on back of Jafar Ansari on account of which blood started oozing out and they were taken to Sadar Hospital and his brother



Mukesh Kumar died in the way to the Sadar Hospital and Jaffar Ansari was referred to PMCH for further treatment. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Petitioner is not named in the FIR. It has been further submitted that neither the petitioner was apprehended at the spot nor any incriminating material has been recovered from his possession. Chargesheet has already been submitted in this case. Petitioner is in custody since 27.06.2018.

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 court below where the case is pending, in connection with **Doriganj P.S. Case No. 141 of 2016** 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/her absence on two



consecutive dates without sufficient reason, his/her 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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