

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.178 of 2019

Arising Out of PS. Case No.-153 Year-2018 Thana- DARBHANGA District- Darbhanga

Shyam @ Shyambabu, son of Jagannath Sah, Resident of Village -Chuna Bhatti, Ward no.14, P.S-L.N.M.U. Dist.-Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Sri Rajballabh Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 31-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Darbhanga (Town) P.S. Case No. 153 of 2018 registered for the offences punishable under Section 302/34 of the Indian Penal Code.

Informant has alleged that his son Kundan Singh was having tea with some of his friends and there was some altercation between him and Golu Khattick and thereafter he stabbed his son and he was carried to Paras hospital, however he succumbed to his injuries.

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 due to dirty village politics.



Specific allegation is against Golu Khattick. Petitioner has no criminal antecedent. Similarly placed co-accused Niraj Sah has been granted bail by this court passed in Cr. Misc. No. 79030 of 2018 vide order dated 30.01.2019. Petitioner is in custody since 08.08.2018.

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 Chief Judicial Magistrate, Darbhanga, in connection with Darbhanga (Town) P.S. Case No. 153 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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