

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.79030 of 2018**

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

Niraj Sah @ Niraj Mama S/o Late Sitaram Sah R/vill-Nim Pokhar,  
Kadirabad, P.S-L.N.M.U., Distt.-DarbhangaBihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vinay Kumar Mishra  
For the Opposite Party/s : Mr.Sri Panchanand Pandit

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      30-01-2019                      Heard learned counsel for the 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 offence punishable under Sections 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 Khattic 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 had informed the father (informant) about the incident and has been falsely implicated in this case, even in FIR there is no



allegation of any overt act against the petitioner and all allegations of stabbing is against Golu Khattic. Petitioner has no criminal antecedent and he is in custody since 09.08.2018.

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/- (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 the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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