

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32037 of 2019

Arising Out of PS. Case No.-7 Year-2018 Thana- SARAIYA District- Muzaffarpur

JAI NARAYAN RAI @ BHAGYA NARAYAN RAI, aged about 35 years (Male), S/o
Jawahar Rai R/o village- Sujawalpur, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Mr. A. K. Thakur

Mr. Malay Kumar Choudhary

Mr. Shashank Shekhar, Advocates

For the Opposite Party/s :

Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 15-05-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 342, 346, 323, 324, 307, 504, 506/34 of the Indian Penal Code to which Section 302 of the Indian Penal Code was also added.

Allegation against FIR named accused including petitioner is general and omnibus in nature and there is no specific allegation against petitioner. Informant is not an eye witness. Previous dispute between parties is admitted in FIR.

Earlier, the bail application of the petitioner was rejected vide Annexure-1, giving a liberty to renew his prayer after 1 year in jail custody.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

It has been submitted that the petitioner is in custody since 21.04.2018.



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 Sessions Trial No.113/2019 arising out of Saraiya P.S. Case No. 07/2018 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/-

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