

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35453 of 2019

Arising Out of PS. Case No.-669 Year-2018 Thana- PHULWARISHARIF District- Patna

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RAHUL KUMAR @ KUMHRA @ KUMRAH MANJHI S/o Muneshwar
Pandit @ Ranjeet Kumar R/o Village- Govindpur Mushari, P.S.-
Phulwarisharif, District- Patna, at present residing Near Shiv Mandir Pethiya
Bazar, Phulwarisharif, Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawal Kishore Prasad

For the Opposite Party/s : Mr.Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

3 30-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

The prosecution case in brief is that in course of going
to Govindpur Musahri by a motorcycle, the informant's son was
assaulted brutally by the accused persons, as a result of which,
he sustained serious injuries and was found lying on the road. In
the proceeding to PMCH for treatment, he succumbed to the
injuries.



Learned counsel for the petitioner submits that similarly situated co-accused has been granted the bail by a coordinate Bench of this Court vide order dated 16.08.2019 in Cr. Misc. No. 22270 of 2019. He further submits that there is no specific allegation upon the petitioner and petitioner is languishing in judicial custody since 19.11.2018.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-XV-cum-A.C.J.M., Patna in connection with Phulwarisharif Police Station Case No. 669 of 2018, subject to the conditions that:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) 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.

(III) 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.

(Anjani Kumar Sharan, J)

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