

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42135 of 2019**

Arising Out of PS. Case No.-729 Year-2018 Thana- TURKAULIYA District- East
Champaran

=====

Jitendra Rai Son of Suryadeo Rai @ Suryadeo Narayan Rai Resident of
Village - Jaisinghpur karamwa, P.S.- Turkaulya, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 16-10-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner seeks bail in **Turkauliya P.S. Case No. 729 of 2018**, registered for the offences punishable under Sections 147, 148, 149, 341 and 302 of the Indian Penal Code.

The informant alleged that while he along with his son was returning to his home, in the way, all the accused persons including this petitioner, surrounded his son. Thereafter, Jitendra Rai (petitioner) inflicted Gupti blow on his chest and Gabbar Rai inflicted knife blow in his abdomen and Dilip Ray also inflicted knife blow. Thereafter, his son died on the spot.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this



case. Petitioner was not present at the place of occurrence. One of the co-accused Dilip Ray who is alleged to have given knife blow, has been granted bail by a Coordinate Bench of this court vide order dated 15.07.2019 passed in Cr. Misc. No. 31563 of 2019. Moreover, from the injury report, it appears that only two injuries was caused to the deceased, whereas, in the F.I.R three persons are alleged to have inflicted knife blow and Gupti blow upon the deceased. Charge-sheet has already been submitted. Petitioner is in custody since 30.04.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the **learned Chief Judicial Magistrate, Motihari, East Champaran** in connection with **Turkauliya P.S. Case No. 729 of 2018**, subject to the following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

