

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45581 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- NATHNAGAR District- Bhagalpur

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KARAN DAS Son of Late Binay Das @ Binay Kumar Das Resident of
Village- C.T. Lane, Champanagar, P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Informant.

Petitioner seeks bail in a case registered for the offence
punishable under Sections 302/120B/34 of the Indian Penal
Code.

Informant in her written complaint has alleged that her
son Ravi Kumar aged about 22 years at about 10:00 am went
along with Karan Das (petitioner) on his motorcycle and at 8:30
pm when she enquired on his mobile she was told that he is
returning to home with Karan Das. In the meanwhile, at about 9
'O' Clock she was informed that near the house of Councillor,
two sons of Madan Das i.e. Santosh Das and Manoj Das are
assaulting his son and on previous occasion also Manoj Das
had threatened him that he will kill her son. Thereafter she



along with other family members went there and took his son to Mayaganj Hospital, however, he died in course of treatment. She has alleged that her son has been killed by Santosh Das and Manoj Das.

It has been submitted on behalf of petitioner that there is no allegation of any assault against the petitioner and the only allegation is that he was accompanying the son of the Informant. Petitioner is in custody since 10.03.2019.

Learned counsel for the Informant vehemently opposes the prayer for bail.

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 **Nathnagar P.S. Case No. 87 of 2019**, 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)

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