

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51662 of 2019

Arising Out of PS. Case No.-48 Year-2018 Thana- AAYAR District- Bhojpur

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Bodh Sah @ Bodh Prasad Keshari Son of Late Bishwanath Sah @
Bishwanath Keshari, Resident of Village - Baranaon, P.S.- Ayar, Dist.-
Bhojpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bakshi SRP Sinha, Senior Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 20-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Ayar P.S. Case No. 48 of 2018 registered for the
offences punishable under Section 302/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that there is
allegation of causing injury to the deceased by lathi and iron rod
but the postmortem report reveals only one injury and there is
no involvement of three persons in the alleged occurrence and
as such who is the author of the injury is not specific. The
petitioner is in custody since 14.05.2018.

Learned A.P.P. for the State has opposed the prayer for



bail.

Considering the facts and circumstances of the case, wherein the postmortem report reveals that single injury on the head of the deceased and the allegations are that three accused persons including the petitioner had assaulted the father of the informant with lathi and iron rod causing injury on the head and that one of the co-accused Rajiv Kumar has been granted privilege of regular bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 76923 of 2018, let the petitioner above named be released on bail in connection with Ayar P.S. Case No. 48 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Bhojpur at Ara, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/ved

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