

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52547 of 2019

Arising Out of PS. Case No.-117 Year-2019 Thana- DINARA District- Rohtas

BIHARI PANDEY S/o Late Ram Nath Pandey R/o village- Bhanas, P.S.-
Dinara (Bhanash), District- Rohtas

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 04-12-2019 Heard learned Counsel for the petitioner and the learned
APP for the State.

Petitioner is in custody in Dinara (Bhyanas) PS Case
No. 117 of 2019 registered under Sections 394 and 302 of the
IPC.

It is submitted by petitioner's Counsel that co-accused
Sri Niwas Choudhary has given detailed description of the
events wherein he has admitted his guilt but nothing has been
said about the petitioner. Though one of the witnesses claims
that he can identify, he has not been put on T. I. Parade.
Petitioner is aged about 68 years and as such the allegation as
described are highly improbable. He is in custody since
2.5.2019 and there is no allegation of inflicting fire arm injury
upon the deceased made against the petitioner.

Learned APP opposes the prayer for bail.

The petitioner is in custody since 2.5.2019. The other
case in which he is in custody (Natwar PS Case No. 25 of 2019)
it is submitted that he is already on bail.



Considering the rival submissions this Court is inclined to allow the prayer for bail of the petitioner.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Bikramganj in Dinara (Bhanas) PS Case No. 117 of 2019 subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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