

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79373 of 2018

Arising Out of PS. Case No.-225 Year-2018 Thana- TARAIYA District- Saran

=====

Ranjan Kumar, Son of Shivnath Ray, a Resident of village- Bagahi
Harakhpura, P.S. -Taraiya, District-Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar
For the Opposite Party/s : Mr. Abhay Kumar - 1

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 08-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code and later on Section 302 I.P.C. was also added.

Informant has alleged that when he was sitting with his family members at his poultry form, F.I.R. named accused persons came variously armed with weapons and began to abuse, on which Chandan Kumar requested to settle the dispute on which deceased, Kashinath Rai assaulted Chandan Kumar on his head by a sword due to which, he got head injury and when other persons came to rescue him, they were also assaulted by sword and lathi by Binod Rai and Rahul Rai @ Bodra and Rahul Kumar snatched Rs.20,000/- and he was referred to



P.M.C.H. Later on, Chandan Kumar died on 20.10.2018 during treatment.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner is not named in the F.I.R. and there is no specific allegation of any overt act against petitioner rather specific allegation is against kashinath Rai who assaulted deceased on the head of deceased by sword due to which he died during treatment. Petitioner has got no criminal antecedent and is in custody since 29.10.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

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 learned court below where the case is pending in connection with Taraiya P.S. Case No. 225/2018, 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)

Sanjay/-

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

