

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19995 of 2020**

Arising Out of PS. Case No.-343 Year-2017 Thana- SONEPUR District- Saran

=====

LURKI RAI Son of Shiv Balak Rai Resident of Village - Sabalpur, Chaharam,
P.S.- Sonepur, Distt - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Dhananjay Mishra,Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur,APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-06-2020 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by office within three weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Sonepur P.S. Case No. 343 of 2017

registered for the offences punishable under Sections 302/34 of

the Indian Penal Code.

Learned counsel for the petitioner submits that on

perusal of the first information report itself it would appear that

there are general and omnibus kind allegations in the first

information report. It is further submitted that the co-accused

Sakindra Rai @ Cycle Rai and Murari Rai against whom there



was an allegation that they had caught hold of the son of the informant and had assaulted him have been granted privilege of anticipatory bail by a learned Coordinate Bench of this Court in Cri. Misc. No. 57632 of 2017 and regular bail respectively in Cri. Misc. No. 984 of 2019 by a learned Coordinate Bench of this Court. Learned counsel submits that similarly situated accused have already been granted privilege of regular bail vide several orders which have been on record.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner, however, it is not denied that there is no specific allegation against the petitioner and co-accused similarly situated have been granted bail by learned Coordinate Bench of this Court, copy of some of the orders are available on the record, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Sonapur P.S. Case No. 343 of 2017, subject to the conditions as laid down under Section 437(3) of the 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.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

