

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19449 of 2020

Arising Out of PS. Case No.-347 Year-2019 Thana- SAHPUR District- Patna

SHIVPUJAN RAI @ SHIV PUJAN RAY Son of Late Ramparit Rai R/o -
Maksudpur, P.S.- Shahpur, District- Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party : Mr.Suresh Prasad Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-06-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offences punishable under Sections 302, 380 and other allied sections of the Indian Penal Code.

Prosecution's case, in brief, is that because of some dispute the petitioner and other accused persons entered into the house of the informant and assaulted her mother and brother with the help of lath, danda etc. Mother of the informant died in course of treatment in the PMCH.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case and as per the FIR, petitioner can at best be said to be an order giver. There is general and omnibus allegation against the petitioner and no overt act has been alleged against the petitioner. It is also submitted that nothing incriminating has come against him during investigation in support of the allegation. Petitioner has got no criminal antecedent and he is in custody since 13.1.2020.



Considering the facts of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate I, Danapur, Patna in Shahpur Police Station Case No. 347/2019, on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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