

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27380 of 2020**

Arising Out of PS. Case No.-542 Year-2019 Thana- MASAUDHI District- Patna

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SUJAY SINGH S/o Vijay Singh Resident of Village-Chhotki Masaurhi, P.S.-
Masaurhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Raj Kumar Rajesh, Advocate
For the Opposite Party/s : Mr Lalan Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 **22-12-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Sessions Trial No 1106 of 2019 arising out of Masaurhi Police Station (for brevity, *PS*) Case No 542 of 2019 dated 20.07.2019 instituted for the offence punishable under Sections 341, 342, 323, 324, 325, 354, 307,



302/34 of Indian Penal Code.

The prosecution case is that the cow of one of the co-accused entered the orchard of the informant. The said dispute has led to assault by the petitioner along with other co-accused persons upon the husband of the informant who has subsequently succumbed to his injuries.

Learned counsel for the petitioner submits that petitioner has been implicated in this case based on subsisting family dispute between the parties. In fact, the deceased was a history sheeter having about 8 cases pending against him and, who had also fled away from police custody. He was murdered by someone else and taking advantage of the situation, the petitioner, having no criminal antecedent along with his all family members, has been made accused. The petitioner, in this circumstance, is in custody since 27.07.2019.

The learned APP for the State was earlier granted adjournment to assist this Court after going through the soft copy of case diary which has been forwarded by the concerned Police Station. He is not in a position to refute the submission advanced by the petitioner's counsel.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on



his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Masaurhi in Sessions Trial No 1106 of 2019 arising out of Masaurhi PS Case No 542 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 and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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