

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28290 of 2020

Arising Out of PS. Case No.-128 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. BHULLU RAJAK @ JHULLY RAJAK Son of - Balmiki Rajak Resident of
- Ward No. 5, Kamarudinpur, Ulao, P.S.- Muffasil, District- Begusarai.
 2. Ranjeet Rajak S/o - Upendra Rajak Resident of - Ward No. 5,
Kamarudinpur, Ulao, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pritish Kumar Lal
For the Informant	:	Mr. Shashi Dhar Jha
For the Opposite Party/s	:	Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-12-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard counsel for the petitioners, counsel for the
informant and the State.

The petitioners seek bail in Muffasil (Singhaul OP)
P.S. Case No. 128 of 2020, registered for the offence punishable
under Sections 341, 323, 324, 307, 302 and 34 of the Indian
Penal Code.

As per prosecution case, on 01.03.2020 at about 8.30
pm, while the informant's father was returning home after
attending marriage ceremony, on way, all the accused persons



armed with lathi, danda and Khanti surrounded him and brutally assaulted him. During of treatment, informant's father died on 10.03.2020.

It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. There is general and omnibus allegation. The occurrence took place on 01.03.2020, but the FIR was lodged on 10.03.2020 after death of informant's father. Charge sheet has already been submitted. Petitioners are in custody since 15.06.2020 having clean antecedent, as stated in para 3 of the petition.

Counsel for the informant vehemently opposed the bail application and submitted that there is specific allegation against petitioner no. 1 that it was he who assaulted the deceased by danda.

Considering the fact that there is specific allegation against petitioner no. 1, therefore, I am not inclined to enlarge petitioner no. 1 on bail. Accordingly, the same is rejected.

So far as case of Ranjeet Rajak petitioner no. 2 is concerned, he is directed to be enlarged 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 learned Chief Judicial Magistrate, Begusarai in connection with Muffasil (Singhaul



OP) P.S. Case No. 128 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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