

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63639 of 2019

Arising Out of PS. Case No.-733 Year-2015 Thana- BANKA District- Banka

SUBODH LAIYA Son of Sufali Laiya Resident of Village-Khalashi Tikar
(Khalshatkar), P.O. and P.S.-Banka, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 04-03-2020 Heard both sides.

The petitioner seeks bail in Sessions Trial No.519 of 2017 arising out of Banka P.S. Case No.733 of 2015 registered under Sections 448, 341, 323, 302 and 34 of the Indian Penal Code.

The informant alleged that Manoj Laiya, Sufali Laiya, Bhopali Laiya, Subodh Laiya(the petitioner) having armed with different weapons entered into his house and assaulted his father, Atul Laiya on his head. Consequently, his father after having received injury on head fell down and became unconscious but with the help of villagers, the informant brought his father to hospital where he was declared dead.

The learned counsel for the petitioner submits that four persons including the petitioner are alleged to have



assaulted the deceased with iron rod and stick but in the post-mortem report, only one injury was found on the head of the deceased on account of which the deceased died. It is further submitted that Sufali Laiya has already been granted bail by a co-ordinate Bench of this Court vide order dated 12.09.2017 passed in Cr. Misc. No.42369 of 2017. The case of the petitioner stands on the same footing. Petitioner is in jail since 20.06.2017. Petitioner has already remained in jail for more than 2½ years.

Having considered the facts that four persons are alleged to have assaulted the father of the informant and the father of the informant got only one injury on left side of his parital and similarly situated co-accused namely, Sufali Laiya has already been granted bail and the fact that petitioner has already remained in jail for more than 2½ years, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, Banka in connection with Sessions Trial No.519 of 2017 arising out of Banka P.S. Case No.733 of 2015.

(Prabhat Kumar Jha, J)

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