

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13160 of 2021**

Arising Out of PS. Case No.-227 Year-2019 Thana- KARAKAT District- Rohtas

ACHAL KUMAR @ CHOTU Son of Jai Prakash Singh Resident of Village -
Amratha, P.S.- Karakat, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 22-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned

APP for the State.

This Court would expect that the petitioner's Counsel

would honour his undertaking in the instant proceedings regarding

supply of requisite court fee etc. within two weeks from the date

he is called upon to do so by the office.

Petitioner seeks bail in Karakat PS Case No. 227 of

2019, registered under Sections 302/34 of the Indian Penal Code.

The allegation as per the First Information Report is that

the father-in-law of the informant due to some land dispute with

the husband of the informant came along with six unnamed



accused persons and put a towel around the neck of husband of the informant and pulled him down and assaulted him by sharp cutting weapon leading to his death.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to village politics. He has not committed any offence in the manner alleged. Learned counsel submits that from perusal of the FIR, it would be evident that there was a land dispute between son and father. Co-accused Balram Singh is father of the deceased who allegedly pulled him down by putting a towel around his neck. It is further submitted that Balram Singh has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 71759 of 2019 dated 19.11.2019. Similarly situated co-accused, namely, Pramod Sah and Hari Sah have also been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 7814 of 2021 dated 17.04.2021.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bikramganj, Rohtas in Karakat PS Case No. 227 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.

(Madhuresh Prasad, J)

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