

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28036 of 2021

Arising Out of PS. Case No.-867 Year-2020 Thana- MADHAURAH District- Saran

1. PRAMOD SINGH S/O LATE KAMALDEO SINGH R/O VILLAGE-
VIKRAMPUR, P.S-MARHOWRAH, DISTRICT-SARAN.
2. SUBODH SINGH S/O LATE KAMALDEO SINGH R/O VILLAGE-
VIKRAMPUR, P.S-MARHOWRAH, DISTRICT-SARAN.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Marhowrah P.S. Case No. 867 of 2020 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504, 302 of the I.P.C.

As per prosecution case, all the accused persons having armed with lathi, danda and farsa assaulted the informant's father, who died during course of his treatment.



Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence and they have falsely been implicated in the present case. Learned counsel further submits that there is no specific allegation of any overt-act against the petitioners. Learned counsel further submits that only one injury has been found by the doctor during postmortem examination. There is no repetition of blow. Petitioners are in custody since 29.01.2021. Learned counsel further submits that co-accused Kariman Singh has been granted bail by this court vide order dated 18.11.2021 passed in Cr. Misc. No. 25219 of 2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrah P.S. Case No. 867 of 2020, subject to the following conditions:-

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

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rajesh Kumar Verma, J)

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