

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34890 of 2021**

Arising Out of PS. Case No.-52 Year-2020 Thana- LAKHISARAI District- Lakhisarai

PRAKASH SAW Son of Late Kishun Sao Resident of Mohalla - Naya Tola,
Ward No. 10, P.S. and District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Gupta

For the Opposite Party/s : Mr.Rajendra Pd. Nat, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Lakhisarai P.S. Case No.
52 of 2020, registered for the offence punishable under Sections
302, 307 and other allied sections of the Indian Penal Code.

As per the prosecution case, dispute arose due to sale
and purchase of eggs and this petitioner along with others
assaulted the brother of informant with cycle chain as a result of
which he died on the way to PMCH, Patna.

It is submitted on behalf of the petitioner that there is
general and omnibus allegation against this petitioner and no
specific overt act has been alleged against this petitioner.
Similarly situated co-accused have been granted bail by



different benches of this court. There is case and counter case. Petitioner is in custody since 06.10.2020 having clean antecedent. Investigation is complete.

Considering the fact that similarly situated co-accused have been granted bail and petitioner bears clean antecedent, the petitioner above-named, 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, Lakhisarai in connection with Lakhisarai P.S. Case No. 52 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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