

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34776 of 2021

Arising Out of PS. Case No.-56 Year-2019 Thana- SURYAGARHA District- Lakhisarai

1. NIRANJAN DAS S/o Thakur Das R/o village- Mohammadpur, P.S.-
Suryagarha, District- Lakhisarai
2. Nunulal Das S/o Thakur Das R/o village- Mohammadpur, P.S.- Suryagarha,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Ms.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioners seek bail in Suryagarha P.S. Case No.
56 of 2019, registered for the offence punishable under Sections
302, 307, 324/34 of the Indian Penal Code.

As per the prosecution case, due to land dispute
between the parties all the FIR named accused persons
including petitioners committed murder of the son of informant.

It is submitted on behalf of the petitioners that there is
general and omnibus allegation of assault against all the accused
persons including petitioners and no specific overt act has been
alleged against these petitioners. It is further submitted that prior



to this case, petitioner no. 1, his wife and father have lodged three cases against the informant and others and in order to put pressure for compromise, petitioners have been dragged in this case. Similarly situated co-accused Uma Devi and Kiran Devi have already been granted bail vide order dated 02.07.2019 passed in Cr. Misc. No. 39351 of 2019. Petitioners are in custody since 07.01.2021. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Suryagarha P.S. Case No. 56 of 2019, subject to following conditions:-

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

(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

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