

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38417 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- CHHABILAPUR District- Nalanda

AKIS KUMAR S/o SRI TUNNU PRASAD @ TUNNU PRASAD
CHAURESIYA Resident of Village-Duhai, Suhai, P.S-Chhalilapur, District-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Prasad,Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-02-2021 Let the defects be removed within four weeks.

Heard the parties.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302,120(B) and 34 of the
Indian Penal Code.

According to FIR, co-accused-Sajan Rajbanshi and
Sri Kant Rajbanshi took the brother of the informant from his
house. When it was going late, the Bhabhi of the informant
reported that her husband has not returned as yet. Thereafter the
informant left his house, he saw that co-accused-Sajan Rajbansi
and Sri Kant Rajbanshi were holding the legs and Krishna
Rajbanshi was holding both hands of the brother of the
informant and Sajan Rajbanshi committed assault with bricks



causing injury at the chest of the brother of the informant, as a result whereof, he died. Other named accused persons including the petitioner were also there surrounding the deceased.

Learned counsel for the petitioner submits that co-accused-Krishna Rajbanshi, Manoj Rajbanshi and Dharmendra Rajbanshi have already been allowed bail by a Coordinate Bench of this Court on 15.12.2020 in Cr.Misc. No. 24964 of 2020. The Doctor has found abrasions on chest only which is attributed against Sajan Rjbanshi. Petitioner is in custody since 11.03.2020. Petitioner has got no criminal antecedent.

Learned counsel for the informant opposed the prayer for bail on the basis of material available on the record.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chhalilapur Police Station Case No.11 of 2020 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to



cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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