

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40511 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- SARAI RANJAN District- Samastipur

MADAN DAS Son of Manichan Das Resident of Village- Kishanpur Yusuf,
Police Station- Sarairanjan, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 06.05.2020 in connection with Sarairanjan P.S. Case No. 44/2020 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with other co-accused persons assaulted the husband of the deceased with *lathi, danda* and rod causing injuries on his head and in the result, he died in the way.

It is submitted on behalf of the petitioner that no specific overt-act has been attributed to this petitioner and he has been falsely implicated in this case due to village politics and rivalry. It is further submitted that similarly situated co-accused persons, namely, Mantun Das, has already been granted bail by this Court vide order dated 12.11.2020 passed in Cr.



Misc. No. 29826 of 2020. Chargesheet has already been submitted in this case. The petitioner is in custody since 06.05.2020 having no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional District and Sessions Judge, 9th, Samastipur, in connection with Sarairanjan P.S. Case No. 44/2020, subject to following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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