

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33592 of 2021

Arising Out of PS. Case No.-46 Year-2020 Thana- NOKHA District- Rohtas

AYODHYA MALI @ AYODHYA BHAGAT Son of Late Awadhesh Mali
Resident of Village Baraon, P.S. Nokha, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bikramdeo Singh, Advocate Mr. Shankar Kumar, Advocate
For the informant	:	Mr. Sanjeev Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 19-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

The petitioner, who is in custody since 16.09.2020,
seeks regular bail in connection with Nokha P.S. Case No. 46 of
2020, for the offence punishable under Section 147, 148, 149,
341, 323, 307 and 302 of Indian Penal Code as well as under
Section 27 of the Arms Act.

The prosecution case, in brief, is that the petitioner
along with other accused persons named in the F.I.R. assaulted
Kameshwar Mali, father of the informant. It is specific
allegation against the petitioner that he assaulted the father of



informant by means of Kudal (a sharp edged tool).

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that there is specific allegation against the petitioner that he assaulted the deceased with Kudal, but according to the Postmortem report, the death was caused due to hard blunt substance on the head. He further submits that other co-accused, namely, Jitendra Mali @ Jitendra Kumar has already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 25.10.2021 passed in Criminal Miscellaneous No. 20111 of 2021. He further submits that the petitioner is in custody since 16.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the above facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate, Sasaram, Rohtas in connection with Nokha P.S. Case No. 46 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioners are found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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