

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25312 of 2021**

Arising Out of PS. Case No.-35 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

=====

MUKUN BIND @ MUKUND BIND Son of Ramsurat Bind Resident of
Village - Orgai, P.S.- Bhagwanpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr.APP.

=====

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

11 25-04-2022 The applicant/accused in Crime No. 35 of 2020

registered with Bhagwanpur Police Station (Sessions Trial No.

77 of 2020) for the offences punishable under Sections 147,

148, 149, 302/34 of the IPC by this application is seeking his

release on bail during pendency of the trial.

Heard the learned counsel appearing for the

applicant/accused as well as learned Additional Public

Prosecutor appearing for the State.

Learned counsel for the applicant/accused argued

that the applicant is behind bars from the year 2020. It is

further argued that co-accused Buchchi Bind, Ramsurat Bind

and Sonu Kumar Bind are already released on bail by the co-

ordinate Bench of this Court on 19.10.2020. It is further



averred that allegations against the applicant as well as other co-accused are similar.

The learned Additional Public Prosecutor opposed the application by contending that the offence alleged is serious.

I have considered the submissions so advanced and also perused the material placed before me.

According to the prosecution case, in all eight persons had assaulted deceased Ramashankar Bind on 10.03.2020 causing his death. The assault was by means of rods and sticks. Averments are to the effect that the accused persons encircled Ramashankar and assaulted him. Though it is mentioned in the FIR that at the outset applicant Mukund Bind and co-accused Ramdhyan Bind had assaulted Ramashankar, in continuation it is alleged that all other accused persons also assaulted Ramashankar Bind by means of rods and sticks and caused head injury to the deceased.

On this backdrop, it needs to mention that in Cr. Misc. No. 27104 of 2020 decided on 19.10.2020, the co-ordinate Bench of this Court has granted bail to the applicants therein against whom similar allegations, as are made against the applicant, were made. Hence, in view of principle of parity,



the instant application cannot be rejected and, therefore, the order:-

i. The application is allowed.

ii. The applicant/accused in Crime No. 35 of 2020 registered with Bhagwanpur Police Station (Sessions Trial No. 77 of 2020) be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the



instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

shahzad/-

U		T	
---	--	---	--

