

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33859 of 2022

Arising Out of PS. Case No.-80 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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NEERAJ KUMAR Son of Late Lukho Sah @ Sukho Shah Resident of
Khamhar, Ward No. 6, Police Station- Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-09-2022 None appears for the petitioner.

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

The case is registered under Section 302/34 of the IPC
in connection with Begusarai Muffasil (Moffussil) P.S. Case
No.80 of 2019.

As per the FIR, a quarrel took place between the
deceased and the accused persons which was pacified by the
villagers. The further allegation is that the accused person later
entered the house of the informant and assaulted the father-in-
law, as a result he become unconscious and was taken for
treatment.

As per averment made in the bail application there is
general and omnibus allegation against all the accused person of



assaulting the informant's father-in-law as a result whereof he sustained injuries and died in course of treatment. The Further averment is that he is 60 years old and is in custody since 28.02.2022.

Taking into account the facts that the petitioner is in custody since 28.02.2022, omnibus allegation is there and he has clean antecedent, this Court is inclined to grant him privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail after framing of charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Begusarai Muffasil (Moffussil) P.S. Case No.80 of 2019 to the satisfaction of learned Judicial Magistrate, Ist Class, Begusarai, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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