

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19547 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- POTHIYA District- Kishanganj

Dilu Murmu, Son of Raghu Murmu, Resident of Kachakhowa, P.S- Pothia,
District.- Pothia .

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Pothia P.S. Case No. 75 of 2022, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 386, 435, 382, 427, 504, 506, 447, 337 of the Indian Penal Code.

As per the prosecution case, 40 to 50 persons led by the petitioner alongwith the accused persons armed with weapons entered into the tea garden and attacked the informant with intention to kill him. However, he saved himself. The mob set fire on the vehicle of the informant. The specific allegation against the petitioner is that the petitioner alongwith his wife attacked the informant with Kachia (Dab).

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case due to the reason that there is land dispute and with the motive to make pressure on the petitioner to sell his portion of the land to the owner of the Tea Estate the informant and on his instigation other employees have falsely filed six criminal cases against the petitioner. There is no injury caused to the informant. Petitioner is in jail custody since 08.09.2022. Charge sheet has already been filed against the petitioner and there is no chance of absconding of the petitioner and tampering of the evidence, if he is granted bail.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kishanganj in connection with Pothia P.S. Case No. 75 of 2022 subject to the 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.
2. Petitioner shall not tamper with the prosecution



evidence in any manner whatsoever.

3 In case of absence on two consecutive dates without sufficient reason or if the petitioner misuse the liberty or violate any of the conditions imposed upon him, his bail bond will be liable to be cancelled by the Court concerned.

(Sunil Dutta Mishra, J)

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