

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40897 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- MORKAHI District- Khagaria

1. Murari Poddar S/O Bhola Poddar @ Bhulo Poddar Resident of Village- Marar South, Ward No.-5, P.S- Morkahi, District.- Khagaria.
2. Rajju Poddar @ Raj Kumar Poddar S/O Late Chhote Lal Poddar Resident of Village- Marar South, Ward No.-5, P.S- Morkahi, District.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP
For the Informant	:	Mr. Santosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-07-2023 Heard the learned counsel for the petitioners and
learned APP for the State.

This application has been filed for grant of regular bail to the petitioners in connection with Morkahi P.S. Case No. 22 of 2023 registered for the offence under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, 13 accused persons including the petitioners assaulted the father of the informant with lathi, danda and iron rod and also fired upon father of the informant and fled away, due to which the father of the informant became unconscious and later on he died.

Learned counsel for the petitioners submits that there



is general and omnibus allegation against the petitioners. He further submits that they are quite innocent and have falsely been implicated in this case. They are in jail custody since 06.03.2023 and 21.03.2023 respectively. They have one criminal antecedent in which they are on bail. Charge sheet has already been submitted in this case and there is no chance of absconding of the petitioners or tampering with the evidence.

Learned APP for the State with learned counsel for the informant have opposed the prayer of bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate - 1st Class, Khagaria in connection with Morakhi P.S. Case No. 22 of 2023 subject to the following conditions:-

(i) Petitioners 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.

(ii) In case of absence on two consecutive dates without sufficient reason or if the petitioners misuse the liberty or violate any of the conditions imposed upon them, their bail



bonds will be liable to be cancelled by the Court concerned.

(iii) If the petitioners tamper with the evidence or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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