

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15612 of 2015

Arising Out of PS.Case No. -19 Year- 2004 Thana -LAXMIPUR District- JAMUI

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Dilip Mian Son of Sattar Mian Resident of Village- Gidhaur, P.s
Laxmipur(Gidhaur), District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar

For the Opposite Party/s : Mr. Ajay Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-05-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
23.10.2014 in a case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

It is alleged that the petitioner and one Sattar
Mian being the parental uncle, Nuresha Khatoon and Tuni
Khatoon came, dragged the mother of the informant and assaulted
her as a result she died on the spot.

It is submitted by learned counsel for the
petitioner that the post-mortem report reflects no external or
internal injury, the same has been brought on record as Annexure-
2, and consequently petitioners were not sent up for trial, but

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differing with the final form cognizance has been taken and co-accused Nuresha Khatoon has been granted bail vide Cr. Misc. No. 29611 of 2004. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Jamui in connection with Sessions Trial No. 270 of 2010 arising out of Laxmipur (Gidhaur) P.S. Case No. 19 of 2004.

Since the petitioner failed to surrender for a petty long time and permanent warrant of arrest was issued, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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