

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14017 of 2015

Arising Out of PS.Case No. -126 Year- 2014 Thana -PACHRUKHI District- SIWAN

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1. Dilip Kumar S/o Sarabjit Manjhi R/o vill. - Bauna Bazar, P.S. Darauli,
Distt. - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 30-06-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Pachrukhi (G.B. Nagar) P.S. Case No. 126 of 2014 registered for

the offences punishable under Sections 302, 201/34 of the Indian

Penal Code.

Petitioner is said to be proprietor of orchestra party in

which the deceased was working at the relevant time. In course of

investigation, almost all the witnesses stated that deceased

sustained head injury while she was dancing on the stage in

inebriated condition and, thereafter, while she was being taken to

hospital, she succumbed to her injury. The witnesses also stated

that after death, dead body of the deceased was thrown near a

canal by those persons who were carrying the deceased for treatment. The investigation of this case is still pending and the diary has been written up to para 54 dated 05.10.2014.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released **on provisional bail till submission of charge sheet/final form** on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in Pachrukhi (G.B. Nagar) P.S. Case No. 126 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

It is made clear that after submission of final form/charge sheet, the petitioner shall surrender before the court below and if after surrender of the petitioner, the court below does not find any cogent material against the petitioner after para 54 of case diary, the concerned court shall confirm the bonds executed by the petitioner but if any material is found by the concerned court against the petitioner after para 54 of case diary, the bonds of the petitioner shall not be confirmed and in that event he shall be taken into custody by the court below and the concerned court

shall pass appropriate order on the regular bail application of the petitioner. It is also made clear that this order shall not cause any prejudice to the court of Sessions, if petitioner moves for regular bail after disposal of his bail petition by the court below.

(Hemant Kumar Srivastava, J)

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