

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46324 of 2014

Arising Out of PS.Case No. -190 Year- 2013 Thana -AMARPUR District- BANKA

Bablu Poddar Son of Late Govind Poddar Resident of Village/ Mohallah -
Salempur, P.S. - Amarpur, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Shantanu Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 28-01-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection
with Amarpur P. S. Case No. 190/2013 corresponding to G. R.
Case No. 1065/2013 for the alleged offence under sections 147,
148, 149, 341, 323, 307, 302/34 of the Indian Penal Code.

Earlier, the petitioner had moved before this Court in Cr.
Misc. No. 43217/2013 in connection with Amarpur P. S. Case
No. 190 of 2013 and this Court vide order dated 19.03.2014
rejected the prayer of bail of the petitioner but liberty was given
to renew his prayer for bail after completion of one year. This
Court has called for case diary and perused the same and found
that there is a case and counter case from both sides. There is
one causality on victim side. The cause of dispute is
relating to gushing the rain water in the house of the

petitioner.

The counsel for the petitioner submits that the petitioner is in custody since 30.08.2013.

Looking to the facts and circumstances of the case, let the petitioner Bablu Poddar , be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S.Case No. 190/2013 correspond to G.R. Case No. 1065/2013, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case then the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of his bail and iii) the petitioner would cooperate the proceeding of the Court below. In event of failure to appear on two consecutive dates, the Court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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