

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51908 of 2015

Arising Out of PS.Case No. -86 Year- 2015 Thana -DARAUNDA District- SIWAN

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Chhathu Prasad, Son of Late Halar Prasad, Resident of Vilage Banaura,
P.S.- Daraunda, District Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned

counsel for the State.

In this case, the petitioner is seeking bail in connection with Daraunda P.S. Case No. 86 of 2015 registered for offences under sections 341, 323, 379, 504, 307/34 I.P.C. and later on section 302 I.P.C. was added.

As per the allegation made in the first information report, the present petitioner entered into the house of the informant in intoxicant condition and started hurling abuses to the victim and when they objected, physical altercation took place in between them. Allegation has been made against the petitioner to have caused repeated blow on the abdomen of the victim that led to his death.

From the first information report it appears that there was a dispute with regard to the partition of the land and they used to quarrel on that particular day, allegation has been made to have caused a blow by bomboo on belly of the victim.

The counsel for the petitioner submits that the victim died not on account of the assault but because of his ailment, as he was suffering from spinal enlargement that was the cause to his death.

The counsel for the petitioner submits that the petitioner is in custody since 6th April 2015.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail **on or after 7th April 2016** on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 4th Additional Sessions Judge, Siwan in connection with Daraunda P.S. Case No. 86 of 2015, 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, 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 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.



Mahesh/-

(Shivaji Pandey, J)

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