

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47735 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -AMAUR District- PURNIA

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Md. Salman, Son of Mansoor Alam, Resident of Kolha Simariya, Police Station- Amour in the district of Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 22-11-2016 Heard counsel for the petitioner and Smt. Yadav,

A.P.P. for the State.

The petitioner prays for grant of bail in Amour P.S.

Case No. 65 of 2016, registered under Section 302/34 of the

Indian Penal Code.

It is alleged that the accused persons named in the

F.I.R., including the petitioner, entered into the house and started

assaulting the aunt of the informant, when younger sister of the

informant came to rescue, it is alleged that co-accused Mansoor

Alam assaulted on her head/neck with hand of the hand-pump as

a result where of, she sustained injury and later died.

Contention of the petitioner is that there is general

and omnibus allegation of assaulting the aunt of the informant.

Co-accused Mansoor Alam against whom the allegation is of

having assaulting the deceased has been released on bail by this Court on 18.10.2016 passed in Criminal Miscellaneous No. 33553 of 2016 (Annexure-5) considering the post-mortem report of the deceased, which does not fit in the prosecution case.

The petitioner is in custody since 10.08.2016 having no criminal antecedent. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Judge-VI-cum-A.C.J.M., Purnea in connection with Amour P.S. Case No. 65 of 2016 subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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