

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20563 of 2016

Arising Out of PS.Case No. -22 Year- 2015 Thana -BHAIRABASHTHAN District- MADHUBANI

1. Shubh Kant Ram Sn of Fusiya Ram resident of Village- Pattitola,
Police Station- Bhairab Asthan, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar

For the Opposite Party/s : Mr. P.K.Chaurasia(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Bhairab Asthan Police Station Case No. 22 of
2015, disclosing offence under Section 302/34 of the Indian
Penal Code.

Learned Counsel for the petitioner, referring to
the First Information Report, has submitted that there is
specific allegation of assault caused by co-accused Radhe
Ram, leading to the death of the father of the informant. He
has submitted that there is vague allegation against other
accused persons including this petitioner of using abusive
language, taking name of the father of the informant. It has

been stated in paragraph 3 of the application that the petitioner has no criminal antecedent.

Considering the submission that there is specific allegation of assault against co-accused Radhe Ram and there is no specific allegation at all against the present petitioner of any assault, this application is allowed.

Let the petitioner, Shubh Kant Ram, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani, in connection with Bhairab Asthan Police Station Case No. 22 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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