

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13876 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Amla Thakur Son of Late Shivjee Thakur, Resident of Village- Kritpura,
P.S.- Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh

: Mr. Kumar Udai Singh.

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-04-2017 The petitioner seeks regular bail in connection with

Baikunthpur P.S. Case No. 167 of 2016, registered for offences

punishable under Sections 323, 302/34 Indian Penal Code.

Case is under Section 302 and other Sections of Indian

Penal Code and allegation against the petitioner is that he along

with other co-accused went to the house of the deceased and

assaulted him by means of fists and slaps, whereas, other co-

accused person assaulted the deceased on his head by bricks, due

to which the deceased sustained injuries and succumbed to his

injuries.

It has been submitted on behalf of the petitioner that only

general and omnibus allegation of assault to deceased by means of

fists and slaps has been levelled against the petitioner. It has also



been submitted that specific allegation of assault by bricks on the head of the deceased, has been levelled against co-accused, namely, Basant Kumar Sharma. Further in the post-mortem report also only one injury found on the person of the deceased. Petitioner has been in custody since 08.12.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj, in connection with Baikunthpur P.S. Case No. 167 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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