

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4261 of 2017**

Arising Out of PS.Case No. -245 Year- 2015 Thana -BUDDHACOLONY District- PATNA

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1. Dilip S/o Ram Janam Sao R/o Pahalwan Ghat, P.S. Budha Colony, Distt. Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      13-02-2017      Heard the parties.

This application has been filed in connection with Budha Colony P.S.Case No.245 of 2015 for the offence under Sections 302/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is no allegation against this petitioner of firing on the deceased rather there is allegation of firing to the informant but the injury report on the person of the informant is simple in nature, as stated in Para No.13 of the petition. The petitioner is in custody for about seven months.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that there is no allegation against this petitioner of firing on the deceased rather



there is allegation of firing against this petitioner to the informant but the injury is simple in nature on the person of the informant as well as the petitioner is in custody for about seven months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Patna in connection with Budha Colony P.S.Case No.245 of 2015.

With 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 co-operate 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.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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