

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26920 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -CHANDI District- BHOJPUR

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Md. Raju, son of Md. Akhtar, Resident of Village- Chandsarai, P.S.-
Jandaha, District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shrinandan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Chandi P.S.Case No. 16 of 2017 registered for the offences
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

Petitioner as per FIR is Poplin operator and allegation
is that body of deceased was traceless and later on it has come to
know that deceased was in the Poplin and sand was loaded and he
died due to suppression of sand.

It has been submitted on behalf of the petitioner that
no case is made out under Section 302 IPC and at best it can be a
case under Section 304 IPC and police after investigation has
submitted charge-sheet under Section 304 IPC against the
petitioner and he has remained in custody for more than three
months.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IV, Bhojpur, in connection with Chandi P.S.Case No. 16 of 2017, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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