

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46058 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -MAIRWA District- SIWAN

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1. SUBHASH KUMAR @ SUBASH KUMAR @ SUVASH KUMAR Son
of Shri Surendra Prasad, resident of Village- Kabirpur, P.S.- Mairwa,
District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Birendra Prasad, Son of Jagarnath Prasad, resident of Village- Kabirpur,
P.S.- Mairwa, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Mairwa P.S.Case No.43 of 2016 registered for offences punishable
under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner and one co-accused
who happens to be father of the petitioner is causing injury on the
person of the deceased.

Submission of the learned counsel for the petitioner
is that there is allegation of assault against the petitioner and co-
accused persons and the injury is only one on the person of the
deceased. Considering the same, father of the petitioner has been
granted bail by this Court vide order dated 18.11.2016 passed in



Cr. Misc. No.39206 of 2016. Further submission is that the petitioner is in custody since 24.12.2016.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 the learned C.J.M., Siwan in connection with Mairwa P.S.Case nO.43 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidences.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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