

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42649 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Dilip Das, Son of Late Sobhit Das, Resident of Village- Chainpur Nanhkar, P.S.: Desari, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Desari P.S.Case No.81 of 2016 registered for offences punishable under Sections 147, 148, 149, 447, 341, 342, 302, 323, 324, 325, 307 of the Indian Penal Code.

Allegation against the petitioner and other co-accused persons is of assault to the deceased causing his death.

Submission of the learned counsel for the petitioner is that no specific allegation has been attributed against the petitioner rather the allegation is against eight other co-accused persons and the deceased died in course of treatment. There was enmity between the parties from before and another co-accused having similar allegation has already been granted bail



vide order dated 8.12.2016 passed in Cr. Misc. No.46955 of 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 C.J.M. Vaishali at Hajipur in connection with Desari P.S.Case No.81 of 2016.

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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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