

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16816 of 2017

Arising Out of PS.Case No. -457 Year- 2016 Thana -MARHAURA District- SARAN

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1. Kuber Mahto, S/o Jainath Mahto, R/o Village- Salem Sarai, P.S.- Mahowrah, District- Saran (Chapra.).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with A.B.P.No.2691 of 2016 arising out of Marhowrah P.S.Case No.457 of 2017 registered for offences punishable under Sections 302 and 34 of the Indian Penal Code.

The case is under Section 302 of the Indian Penal Code and the petitioner is '*Dewar*'.

It is submitted on behalf of the petitioner that there is nothing specific against the petitioner and the allegation is general and omnibus in nature against the petitioner and two other accused persons have been granted bail by this Court, vide order dated 27.02.2017 passed in Cr. Misc. No.1054 of 2017, which will appear from Annexure-2 of the present petition.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that that the petitioner is '*Dewar*' and no specific allegation has been alleged against him, as such let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released 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., Saran at Chapra in connection with Marhowrah P.S. Case No.457 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the police, otherwise, 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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