

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16841 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -BHANGWANPUR HAT District- SIWAN

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Gudari Rai, son of Late Chandrika Rai, resident of village - Salempur, P.S.
Bhagwanpur, District - Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Bhagwanpur Hat P.S. Case No. 163 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Petitioner is named in the FIR. However, it has been submitted on behalf of the petitioner that nothing has been attributed to him and, as a matter of fact, there is previous enmity between the parties and, as such, he has been made accused in this case and he has nothing to do with the allegation of assault to the son of the informant, rather some other persons assaulted her son.

Heard learned APP also.

Having heard both sides and in view of the fact that



there is no overt act alleged against the petitioner, as such, let the petitioner, named above, in the event of his arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, 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 Additional Chief Judicial Magistrate-II, Siwan, in connection with Bhagwanpur Hat P.S. Case No. 163 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioner shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of his bail bonds and further petitioner will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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