

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54764 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -BELCHHI District- PATNA

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Vinay Mahto S/O Late Bhola Mahto R/O Jalalpur, P.S.- Belchi, Distt.-
Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 17-03-2017 Heard the parties.

This application has been filed in connection with Belchi P.S.Case No.39 of 2016 for the offence under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

It is submitted on behalf of the petitioner that there is general and omnibus allegation of assault by 'Lathi' against the petitioner and none of the injuries are on the vital part of the body. The cause of the death of the deceased is respiratory failure. The petitioner is in custody since 30.08.2016.

Heard learned A.P.P. and the learned counsel for the informant, who have opposed the prayer for bail of the petitioner.

Having heard both sides and in view of the fact that there is general and omnibus allegation against the petitioner and he is in custody for about seven months, 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 S.D.J.M., Barh in connection with Belchi P.S.Case No.39 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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