

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33681 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

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1. Phulan Tiwary @ Dhananjay Tiwary Son of Kedar Nath Tiwary,
Resident of Village- Mudiya, P.S.- Akodhi Gola, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Akodhi Gola P.S.Case No.19 of 2017, registered for offences punishable under Sections 341, 323, 504, 186, 506, 447 and 353 of the Indian Penal Code.

Allegation against the petitioner is that he used unparliamentary words against Mukhiya and also thrown table on him. Further allegation is that he created obstruction in official duty of the informant and others.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case as his nephew was earlier Mukhiya of the village and in the meeting he was objecting functioning of the system and so he has been made accused in this case. He has no criminal antecedent and he is ready to abide by any condition imposed upon him.



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, in the event of arrest or surrender before the court below within a period of four weeks, 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 S.D.J.M., Dehri, Rohtas in connection with Akodhi Gola P.S.Case No.19 of 2017, 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 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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