

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36426 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -BENIPATTI District- MADHUBANI

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1. Md. Osil @ Vasil Son of Ataurahman, R/o Village- Ganguli, P.S.- Benipatti, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Benipatti P.S.Case No.72 of 2016 (G.R.No.344 of 2016), registered for offences punishable under Sections 147, 148, 149, 323, 325, 427 and 302 of the Indian Penal Code.

Allegation against the petitioner as per F.I.R. is of causing death of the deceased, however, submission of the learned counsel for the petitioner is that except that he was a member of the mob, there is nothing against him and one of the co-accused has already been granted bail by this Court, vide order dated 3.4.2017 passed in Cr. Misc. No.14809 of 2017.

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 A.C.J.M., Benipatti, District- Madhubani in connection with Benipatti P.S.Case No.72 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 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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