IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22869 of 2017

Arising Out of PS.Case No. -156 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Md. Badruzzama @ Badruzzama Son of Late Ibrar, Resident of Village- Islam Nagar, Ward No. 26, Police Station and District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Araria P.S.Case No.156 of 2016, registered for offences punishable under Sections 341, 323, 307, 302 and 504/34 of the Indian Penal Code.

Allegation against the petitioner is that he dashed the head of the deceased on the wall causing is death.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case due to land dispute and the postmortem report itself shows that no external injury was found on the person of the injured either on the head or any other parts of the body. The petitioner is in custody for about three months.

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Heard learned A.P.P. also.

Having heard both sides and in view of the fact that no injury was found in the postmortem report, let the petitioner, above named, be enlarged 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 C.J.M., Araria in connection with Araria P.S.Case No.156 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 reason, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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