

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46291 of 2017

Arising Out of PS.Case No. -813 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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1. Gopal Kumar @ Gopal Singh @ Gopal Kumar Singh Son of Shri Dinesh Singh, R/o Village- Dadanchak, P.O.- Ghatwara, P.S.- Majorganj (O.P. Suppi), District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vidyanti Devi W/o Late Lal Babu Thakur, R/o mirjapur Pamra, P.S.- Sitamarhi, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sitamarhi P.S.Case No.813 of 2016 registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is that due to negligence of the petitioner, the death of the deceased has occurred.

Submission of the learned counsel for the petitioner is that there is delay in lodging FIR of 19 days. It has also been submitted that she was taken to the hospital as she was pregnant and there she gave birth to a child and as her condition deteriorated, she was referred to the Muzaffapur Medical College but in the way she died and the aforesaid fact is supported by annexure 2 as well as para 106, 107 and 110 of the case diary. It is



further submitted that the petitioner is in custody for six months.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances, as stated above, 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 learned C.J.M., Sitamarhi in connection with Sitamarhi P.S.Case No.813 of 2016 dated 28.2.2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidences.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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