

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62064 of 2017

Arising Out of PS.Case No. -153 Year- 2017 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Nausad Akhtar @ Nausad Aktar @ Naushad Akhtar S/o Late Jahir Rahman, R/o Village- Bhulahwa Dih, P.S.- Chautarwa, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Sri Zainul Abedin

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2017 Earlier prayer for bail of the petitioner was disposed of vide order dated 15.11.2017, passed in Cr. Misc. No. 54330 of 2017 with direction to the court below that once charge-sheet is submitted, he will verify the allegations from case diary and if there is no allegation against the petitioner except that he brought the son of the deceased to his house and treated him, who died later on, shall release the petitioner on bail.

Submission of learned counsel for the petitioner that charge – sheet has been submitted under Section 304 of the Indian Penal Code and not under Section 302 of Indian Penal Code. Moreover, petitioner is the father of co-accused, whose motorcycle had hit the son of the informant. It has further been



submitted that the cause of death of the deceased was hemorrhage and shock due to injury and petitioner has no role to play in death of the deceased.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM –I, Bagaha, West Champaran, in connection with Chautarwa P.S. Case No. 153 of 2017, subject to the 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 cooperate 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.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

