

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36701 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -ROUH District- NAWADA

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Sharwan Thakur, son of Late Dukhi Thakur, R/o Village- Rustampur, P.S.-
Roh in the District of Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. N.K.Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-08-2017 Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Roh P.S. Case No. 40 of 2017 registered for the offences punishable under Sections 341, 323, 379, 307 and 504/34 of the Indian Penal Code.

Allegation against the petitioner is of assaulting the informant by butt portion of pistol.

It has been submitted on behalf of the petitioner that no case is made out under Section 307 IPC and the injuries are simple in nature and had it been intention of the petitioner to kill him he could have fired at him.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances, let the petitioner, named above, surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order and on his so



surrendering he shall 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 the Additional Chief Judicial Magistrate-VI, Nawada, in connection with Roh P.S. Case No. 40 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that :-

- (i) One of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (ii) Petitioner shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of his bail bonds,
- (iii) Petitioner will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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