

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21503 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -RAJNAGAR District- MADHUBANI

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1. Md. Kaishar @ Kaishar, son of Md. Akhtar, Resident of Village- Kailakh Tola, Tulsipatti, Police Station- Rajnagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 10-08-2017 Heard Mr. Pramod Kumar for the petitioner and Mr. Dayal APP for the State.

The petitioner apprehends his arrest in connection with Rajnagar P.S. case no. 153 of 2016, registered under Sections 302/34 of the IPC.

The brother of the victim lodged the case that his sister was mentally unsound and used to move around the places wantonly. On .7.7.2016 she had gone out but did not return. The police officer informed that the victim was brought by the petitioner to the police station and lodged an F.I.R. against her. The F.I.R. is Annexure-2. The said F.I.R. discloses that she was abducting the 7 years niece of the petitioner and was apprehended and the mob assembled at the place had given some thrashing. On the basis of the aforesaid, it has been submitted that the deceased died because of the violence of the mob. It is stated even



accepting the prosecution case it would not, be a case under Section 302 of the IPC.

Considering the facts and circumstances of the case, in the event of his arrest/surrender before the Court below within a period of 05 weeks from today, petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhubani, in connection with Rajnagar P.S. case no. 153 of 2016, G.R. case no. 1429 of 2016, subject to the further following conditions:

- (1) One of the bailors shall be the own/close family member of the petitioner.
- (2) No sooner the charges are framed in the case, the petitioner shall appear in person on each date fixed at the trial. In case of defaults on two consecutive dates, the trial Court shall cancel the bail bond of the petitioner and secure his arrest.

(Kishore Kumar Mandal, J)

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