

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11662 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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Sintu Kumar, S/o Dinesh Prasad Singh, Resident of Village-Karnpur, P.S.-
Shambhuganj, District Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-04-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Shambhugunj P.S.Case No. 78 of 2016 registered for the offences punishable under Sections 341, 323, 307, 427 and 504/34 of the Indian Penal Code and Section 302 IPC was added later on.

Allegation against the petitioner is of assault along with others to the son of the informant and it is alleged that he fell down and died.

It has been submitted on behalf of the petitioner that there is general and omnibus allegation against the petitioner and other accused persons and post mortem report shows that cause of death is hemorrhagic compression of brain and shock and considering this aspect of the matter other co-accused has been granted bail by this Court in Cr.Misc.No. 1733 of 2017, vide order dated 28.2.2017 and he is in custody for nine months.

Heard learned APP also, who has not controverted the above submission.



Having heard both sides and considering the fact that no specific allegation of assault is attributed against the petitioner and he is in custody for nine months and other co-accused having been granted bail, let the petitioner, above named, 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 Chief Judicial Magistrate, Banka, in connection with Shambhugunj P.S.Case No. 78 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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