

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17645 of 2017

Arising Out of PS.Case No. -531 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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1. Nawal Rai @ Nawal Ray Son of late Jagan Rai Resident of Village-
Kanti Gosai Tola, Ward No. 11, P.S. Kanti, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

For informant : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-04-2017 The petitioner is in custody since 27.11.2016 in
connection with Kanti P.S. Case No. 531 of 2016, registered for
offences punishable under Sections 147, 148, 149, 307 and 302
Indian Penal Code.

It has been submitted on behalf of the petitioner that
though petitioner has been named in the F.I.R, however no
specific allegation either of any over act or of assault has been
levelled to this petitioner and also the police after investigation
submitted final form against the petitioner but learned Magistrate
differing with the opinion of I.O. took cognizance against the
petitioner as well. Petitioner has no criminal antecedent and has
been in judicial custody since 27.11.2016.



Heard learned counsel for the State and learned counsel for the informant. They have opposed the prayer for bail

Having heard both sides, from perusal of the impugned order itself, it appears that in para 111 and 112 of case diary, it has come that there is nothing to show involvement of petitioner in the alleged offence and further the police after investigation has submitted final form in this case, however, learned Magistrate differing with the opinion of I.O. took cognizance against petitioner also. As such considering the above aspects, 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 SDJM, West Champaran, in connection with Kanti P.S. Case No. 531 of 2016, with 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)

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