

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23005 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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1. Monu Sharma, son of Jitendra Sharma, resident of Village- Jhanjhwa, Police Station- Sidhwalia, District- Siwan. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-05-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with Sidhwalia P.S. Case No. 07 of 2017 registered for offence punishable under Section 302/34 of Indian Penal Code.

Allegation against the petitioner as per F.I.R. is that he along with other co-accused person has assaulted the deceased. From post-mortem report it appears that the deceased had one fracture injury on head and died due to same caused by hard and blunt object.

It has been submitted on behalf of the petitioner that there is no eye witness of the occurrence and on mere presumption petitioner has been named in this false case. Further petitioner and co-accused persons had said to have assaulted by bamboo but only one injury has found on the person of deceased. He is suffering in custody since 20.01.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the general



allegation of assault on the person of the deceased, nature of offence and period of custody, 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 A.C.J.M., VIII, Gopalganj in connection with Sidhwalia P.S. Case No. 07 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)

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