

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40327 of 2017

Arising Out of PS.Case No. -126 Year- 2016 Thana -KURSELA District- KATIHAR

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1. Bhairu Mandal Son of Sitaram Mandal, R/o Village- Gandhigram Bind Toli, P.S.- Kursela, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with Kursela P.S.Case No.126 of 2016 registered for offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR and the other accused persons is of assaulting the deceased due to which he succumbed to the injuries.

Submission of the learned counsel for the petitioner is that though he is named in the F.I.R. and the allegation is general and omnibus in nature but in the protest petition filed by the informant, name of the petitioner does not find place and further the petitioner is in custody for about three months.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Katihar in connection with Kursela P.S.Case No.126 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 co-operate 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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