

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45597 of 2017

Arising Out of PS.Case No. -18 Year- 2012 Thana -MATIHANI District- BEGUSARAI

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1. Rohit Kumar, Son of Arun Singh, Resident of Village-Matihani, P.S. Matihani, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-10-2017 Counsel for the petitioner seeks permission to correct the first paragraph and prayer portion of the bail petition.

Permission is granted. Let counsel for the petitioner do the same in course of the day.

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Matihani P.S. Case No. 18 of 2012 instituted for the offence under Sections-302/34 of the Indian Penal Code.

It has been submitted that the case has been registered in the year, 2012 and investigation against this petitioner is still pending. In the written report, suspicion has been raised by the informant against this petitioner.

The informant has alleged in the written report that he suspects the hands of this petitioner in death of her father on account of property dispute.



Counsel for the petitioner has submitted that the other co-accused have been granted anticipatory bail by coordinate benches of this court vide orders dated 18-09-2012 & 10-03-2015 passed in Cr. Misc. Nos. 20686 of 2012 and 17663 of 2012.

Counsel for the petitioner has filed supplementary affidavit stating therein that the petitioner is handicapped. Annexure-B has been enclosed which shows that the petitioner is 45% handicapped.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Matihani P.S. Case No. 18 of 2012 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Begusarai subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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