

Criminal Miscellaneous No.22593 of 2018

Arising Out of PS.Case No. -9 Year- 2018 Thana -BANMANKHI District- PURNIA

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 325, 307 and 379/34 of the Indian Penal Code.

According to FIR, three persons committed murderous assault against the son of the informant.

Submission of the learned counsel for the petitioner is that Banmankhi P.S. Case No. 12 of 2018 was registered on the statement of Komal Kumari, daughter of the petitioner wherein she alleged that while she was bathing, the son of the informant and others took her photographs and let it go viral and just to save the skin from that case, the present false case has been lodged which was news of the day vide copy of news paper attached as Annexure-5.



Learned counsel for the informant opposed the prayer for bail on the ground that the petitioner has got a criminal antecedent.

The petitioner has countered this submission by submitting that in that case, the petitioner has already got acquittal.

Considering the general and omnibus nature of allegation and the background of allegation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Banmankhi Police Station Case No. 09 of 2018, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

If the petitioner would be found suppressing the criminal antecedent in the sense the referred case is still pending then the court below would be at liberty to cancel the bail bond of the petitioner for suppression of material fact before the court.

(Birendra Kumar, J)

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