

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40974 of 2018

Arising Out of PS.Case No. -446 Year- 2017 Thana -MOTIHARI TOWN
District- EAST CHAMPARAN(MOTIHARI)

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Minu Kumar Tiwari @ Anshu Kumar @ Binu Kumar, S/o Surendra Tiwari,
R/o Vill.- Ashok Pakri (Tiwari Tola), P.S.- Pipra, District- East Champaran,
at present residing at Vill.- Chandmari Ekawana, P.S.- Motihari Town,
District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Advocate
Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Smt. Asha Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 20.09.2017 in connection with Motihari Town P.S. Case No.446 of 2017 registered for the offence under Sections 341, 323, 325, 307/34 of the Indian Penal Code. Later on, Section 302 I.P.C. has also been added.

The petitioner by this application has renewed his prayer for bail.

Mr. Yogesh Chandra Verma, learned Senior Counsel appearing on behalf of the petitioner submits that the petitioner has been sufficiently punished for an offence in which he has no role. It is further submitted that the main allegation is against Prabhat Kumar Tiwary and not against the present petitioner.



Considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari, in connection with Motihari Town P.S. Case No.446 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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