

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57235 of 2018

Arising Out of PS. Case No.-21 Year-2017 Thana- KAUWAKOL District- Nawada

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Tinku Kumar, Son of Bhola Singh, Resident of Village- Kawakole Police
Station- Kawakole, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Sri S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and
learned APP for the State.

This is a case registered under Sections 341, 323
and 307/34 of the Indian Penal Code.

This is the second attempt of the petitioner for bail.
Earlier on 05.04.2018 his prayer has been rejected in Cr. Misc.
No. 11409 of 2018.

It is submitted by counsel for the petitioner that
though the occurrence took place on 24.02.2017 but the FIR
has been lodged two days thereafter on 26.02.2017 in spite of
the fact that place of occurrence was near the police station. It is
submitted that allegation of assault has been made against the
petitioner along with another co-accused. He submits that he is



not responsible for the fatal injuries as there is no specific allegation of assault against the petitioner. Petitioner has no criminal antecedent prior to the instant case and he is in jail custody since 31.10.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Learned Additional Chief Judicial Magistrate-IV, Nawada** in connection with **Kawakole P.S. Case No. 21 of 2017** subject to the conditions :

(i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

(ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Prakash/-

(Madhuresh Prasad, J)

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