

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65295 of 2018

Arising Out of PS.Case No. -428 Year- 2017 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Inayat Mian, S/o Aldin Mian, resident of Village- Barohia, P.S.-
Chanpatia, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Chanpatia P.S.case No.428 of 2017 dated 23.11.2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 324 and 504 of the Indian Penal Code.

Allegation against the petitioner is of assault by Farsa causing injury to the deceased and later on he succumbed to the injuries and Section 302 of the IPC has been added.

Submission of the learned counsel for the petitioner is that the FIR itself shows that the injuries has been received in hand, which is not vital part of the body and he died due to tension and ammonia. Petitioner is in custody for about four months and other co-accused persons have been granted anticipatory bail by a Co-



ordinate Bench of this Court vide order date 20.9.2018 passed in Cr.Misc. No.57879 of 2018.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that the petitioner is main assailant.

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 the learned CJM, Bettiah, West Champaran in connection with Chanpatia P.S.case No.428 of 2017.

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 in the event of failure 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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