

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57098 of 2018

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1. Arjun Bhuiya son of Late Sanichar Bhuiya, resident of Village- Partapur,
P.S.- Sirdala, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Sirdala
P.S.Case no.19 of 2018 registered for offences punishable under
Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is that the deceased was
called by Arun Bhuiyan and thereafter one Babloo Bhuiyan started
lathi blow causing death of the husband of the informant.

Submission of the learned counsel for the petitioner is that
he is not named in the FIR and later on his name transpired during
the course of investigation and he is in custody since 5.7.2018.
Arun Bhuiyan who is named in the FIR has been granted bail by a
Co-ordinate Bench of this Court, vide order date 26.4.2018 passed
in Cr. Misc. No.18580 of 2018.

Heard learned A.P.P. also, who has opposed the prayer for



bail on the ground that later on supplementary case diary shows that the petitioner had assaulted by *Tangi* but that did not hit to the deceased.

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 ACJM V, Nawada in connection with Sirdala P.S.Case no.19 of 2018.

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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