

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34544 of 2018

Arising Out of PS.Case No. -126 Year- 2017 Thana -BEERPUR District- BEGUSARAI

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1. PANKAJ KUMAR BHARTI @ PANKAJ BHARTI, S/o Bishnath
Mahto, R/o Vill.- Jagdar P.S.- Birpur, Dist.- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Birpur P.S.Case no.126 of 2017 , registered for offences punishable under Sections 302 and 328/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that driver of the petitioner had taken deceased along with him and left the deceased in uneasy condition and thereafter he was taken to the hospital and he died.

Submission of the learned counsel for the petitioner is that no injury was found on the person of the deceased and cause of death also can not be ascertained and viscera report was kept reserved. The viscera report was called for but it did not show any



poisonous substance.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order and on surrender he will be released 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 ACJM-I, Begusarai in connection with Birpur P.S.Case no.126 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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