

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19067 of 2018

Arising Out of PS.Case No. -67 Year- 2017 Thana -ATRI District- GAYA

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1. Mahendra Giri S/o Musafir Giri, R/o Village- Jagatpur, P.S.- Atri,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Atri P.S.Case No.67 of 2017 dated 29.4.2017 , registered for offences punishable under Sections 302, 379/34 of the Indian Penal Code.

Petitioner is not named in the Fardbeyan and he is named in the FIR and it appears that during the course of investigation his name has appeared.

Submission of the learned counsel for the petitioner is that except suspicion that he had also come in the house of the deceased, there is absolutely nothing against the petitioner.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the materials show that the informant has



also alleged that he had threatened the informant to delete his name.

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 C.J.M., Gaya in connection with Atri P.S.Case no.67 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.
- (iv) He will not threat the informant .

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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