

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24860 of 2018

Arising Out of PS.Case No. -93 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

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1. Pintu Choudhary Son of Sri Visun Choudhary, R/o-Vill-Mahawar, P.S.-
Daudnagar, Distt.-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Daudnagar P.S.Case nO.93 of 2017 , registered for offences
punishable under Sections 304/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that due to
throwing garbage the occurrence took place and the petitioner and
others assaulted him causing his death.

Submission of the learned counsel for the petitioner is that
there is general and omnibus allegation and the deceased has died
after ten days of the occurrence. It is also submitted that in this
case after investigation the petitioner was not sent up for trial and
the cognizance has been taken against him.

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, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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, Daudnagar in connection with Daudnagar P.S.Case no.93 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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