

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36741 of 2018

Arising Out of PS.Case No. -70 Year- 2017 Thana -BARIYARPUR District- MUNGER

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1. BASU SINGH @ VASHUDEV SINGH, S/o Late Bisho Singh,
2. Suraj Singh @ Suraj Kumar S/o Basu Singh, Both R/o Vill.- Nazira
Kumarpur, P.S.- Bariarpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Bariarpur P.S.Cas No.70 of 2017 , registered for offences punishable under Sections 341, 323, 325, 379, 504, 506, 308, 304/34 of the Indian Penal Code.

Allegation against the petitioners is of assault by fists and slaps and by *lathi* near the eye.

Submission of the learned counsel for the petitioners is that later on she died at Haryana, the petitioner has been falsely implicated in this case and Section 304 of the IPC has been added and it is also submitted that the postmortem report which is annexed as Annexure-2 clearly shows that the injury of swelling is in the lower part of the left eye.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Munger in connection with Bariarpur P.S. Case No.70 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 petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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