

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72695 of 2018

Arising Out of PS. Case No.-408 Year-2018 Thana- MANER District- Patna

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Santosh Kumar Son of Shiv Shankar Prasad, R/o- Etbarpur, P.S.- Parsa Bazar,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary
For the Opposite Party/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Maner P.S. Case No. 408 of 2018** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 302, 379 of the Indian Penal Code and section 27 of the Arms Act.

Informant has alleged that his deceased brother had gone to harvest the crop on the disputed land where FIR named accused fired indiscriminately upon him as a result of which he subsequently died.

It has been submitted on behalf of the petitioner that there is no specific allegation of over act against the petitioner. Allegations are general and omnibus in nature. Similarly, situated co-accused person has been granted bail vide order dated 29.11.2018 passed in Criminal Miscellaneous No. 67992



of 2018. Petitioner has got no criminal antecedent and is in custody since 13.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Judicial Magistrate-1st Class, Danapur**, in connection with **Maner P.S. Case No. 408 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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