

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.559 of 2019

Arising Out of PS. Case No.-46 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Shani Kumar @ Shani Jaiswal @ Sunny Kumar son of Sri Dhurv Prasad @
Dhruv Kumar Resident of Mohalla- Peonibag, P.S.- Bettiah Town, District-
West Champaran, Permanent Address- Hat Saraiya Sant Ghat, P.S.- Bettiah
Muffasil , District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Bettiah Town P.S. Case No. 46 of 2018
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 307, 302 of the Indian Penal Code.

Allegation against petitioner and other co-accused is
that they assaulted the nephew of informant due to which he
succumbed to the injury.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR. His name has surfaced in this
case in course of investigation on the basis of suspicion. The



main allegation is against Chhotu who is said to have caused injury upon the deceased. No incriminating material has been recovered from the possession of petitioner. Similarly placed co-accused, namely Rajnish Kumar @ Atul Kumar has been granted bail by this Hon'ble Court as contained in Annexure-3. Petitioner has no criminal antecedent and he is in custody since 12.10.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 46 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his



bail bond.

(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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