

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.77690 of 2018

Arising Out of PS. Case No.-176 Year-2017 Thana- GUTHANI District- Siwan

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Amit Kumar @ Amit Kumar Baitha S/o Muneeb Dhobi @ Maneeb Baitha,
R/o Vill.- Balua, P.S.- Guthni, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan

For the Opposite Party/s : Mr.Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 04-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Guthni P.S. Case No. 176 of 2017 (Session Trial No. 205 of 2018) registered for the offence punishable under Sections 302, 379/34 of the Indian Penal Code.

Informant who is the mother of deceased has stated that her son was carrying 1,50,000/- with him and was supposed to give it to the agent as he was going abroad. She came to know that her son is lying near Imambara Chowk in unconscious condition and she alongwith her family members reached there and thereafter he was carried to Sadar Hospital, Siwan where he told that FIR named accused Muneeb Dhobi, Amit Kumar (petitioner), Raju Baitha and Yogendra Baitha had assaulted him and also pressed his neck and snatched away his 1,50,000/- from his possession presuming that he is dead.

It has been submitted on behalf of the petitioner that



there is general and omnibus allegation against all the FIR named accused and there is no specific allegation against petitioner of snatching, assaulting or pressing the neck of deceased. Petitioner has no criminal antecedent and he is in custody since 04.10.2017.

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 Additional Session Judge IIIrd, Siwan, in connection with Guthni P.S. Case No. 176 of 2017 (Session Trial No. 205 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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