

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34041 of 2014

Arising Out of PS.Case No. -77 Year- 2012 Thana -SC/ST District- PURNIA

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1. Nand Kishore Sah @ Nand Kishore Kumar Sah Son of Shankar Sah
Resident of Village - Teliyari, P.S.- Bhawanipur, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 16-02-2015

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 448, 452, 380, 323, 354, 427, 436, 504 and 506 of the I.P.C and sections 3 (I) (X) (XV) of SC/ST Act.

Allegedly the petitioner and others F.I.R. named accused persons entered into the house of the informant, started assaulting the informant and his family members, used caste name and caused threats to leave the place and the petitioner and others pulled cloths of mother, sister and Bhabhi of the informant and assaulted them and further they snatched golden chain and burnt the house.

Submission is of false implication. For the alleged allegation the petitioner is suffering in custody since 21.11.2013.

There is counter version also. The occurrences took place due to land dispute and as such the petitioner deserves sympathetic consideration as co-accused Balmukund Sah has already been released on bail vide Annexure-2 in Cr. Misc. No.28437 of 2014 by order dated 08.07.2014 by another Bench of this Court to which the learned A.P.P. opposes.

Considering the allegation and custody of the petitioner and further noticing that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Purnea in Supplementary SC/ST P.S. Case No. 77 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

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