

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49407 of 2015

Arising Out of PS.Case No. -100 Year- 2014 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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1. BIKKU KUMAR @BIKKI KUMAR Son of Ram Naresh Rai, Resident of Village - Dobarkhothi, P.S. - Rajapakar, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s: Mr. Shyam Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2015 Supplementary affidavit has been filed on behalf of the petitioner annexing injury reports of Chandra Shekhar Kumar , Anaswa Devi and Sipahi Rai. Keep it on the record.

Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Rajapakar P.S. Case No. 100 of 2014 for the offences punishable under Sections 341, 342, 323, 326, 307/34 of the Indian Penal Code.

Allegedly, the petitioner and co-accused surrounded the informant and started assaulting him and in the meantime the petitioner poured acid on him and when the wife of the informant came for rescue, the petitioner poured acid on her also and further assaulted Chandra Shekhar Kumar after breaking his head.

Submission is of false implication and the occurrence has not taken place in the manner as alleged. The case has been compromised. The injured Chandra Shekhar Kumar has received simple injury caused by hard and blunt object, Anaswa Devi has also received simple burn injury due to acid and Sipahi Rai has received grievous injury caused by acid. The petitioner by remaining in custody since 06.07.2015, now has been sufficiently penalized. The chargesheet has also been submitted and there is no chance of tampering with the prosecution evidence..

Learned APP opposes the prayer of bail but fairly submits that the informant has filed compromise petition in the Court below.

In the facts and circumstances stated above, considering the compromise arrived at between the parties and further considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Ravi Kumar learned Judicial Magistrate 1st class, Hajipur arising out of Rajapakar P.S. Case No. 100 of 2014, subject to the conditions that one of the bailors must be 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)

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