

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44353 of 2014

Arising Out of PS.Case No. -169 Year- 2013 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Rakesh Kumar Son of Bharat Bhushan Prasad Yadav Resident of Village-
Banki Tikam, Police Station-Madhuban, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the informant : Mr. Ravi S. Pankaj, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-I (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 03-03-2015 Heard the learned counsels for the petitioner,
State and the informant.

The petitioner seeks bail in a case for the offence punishable under Sections 147, 148, 149, 341, 324, 307, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is to have assaulted the informant and his son with sword causing them injury.

It is submitted that there has been occurrence of assault between both the parties due to land dispute and the petitioner has also lodged a case which has been registered as Madhuban P. S. Case no. 163 of 2013 for the offence punishable under Sections 307, 379 and other allied Sections of the Indian Penal Code. The petitioner has been in custody since 13.8.2014. After investigation chargesheet has already been submitted and

there is no chance of tampering with the witnesses.

Learned counsel for the other side submits that there is specific allegation of overt act against the petitioner and others.

Considering the facts and circumstances of this case, the above-named 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 the learned Judicial Magistrate, Ist Class, Sikrahana, East Champaran at Motihari/court concerned in Madhuban P. S. Case no. 169 of 2013 **after framing of charge** with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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