

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31786 of 2015

Arising Out of PS.Case No. -509 Year- 2014 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Lakshman Kewat Son of Shambhu Kewal Resident of village - Goiti,
P.S. Bagaha (Pathkahuli), District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 04-11-2015 Heard the learned counsel for the petitioner, the

learned A.P.P as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 341, 323, 324, 379 and 504/34 of the
I.P.C

Allegedly, the petitioner and other F.I.R. named
accused persons started abusing and assaulting the informant and
further co-accused Uday Kewat took out Rs. 3,000/- from the
pocket of the informant and as per order given by co-accused
Shambhu Kewat the petitioner gave blow with lohbanda which
caused injury on the temporal region of the informant and he
became senseless then the accused persons fled away.

Submission is of false implication due to land dispute.

There is no allegation that the petitioner repeated the blow. There was no intervening circumstance and the doctor has found three injuries on the person of the injured/informant, whereas, in the written report there is allegation for giving only one blow. The injury report appears manufactured one and the petitioner is suffering in custody since 23.05.2015. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by pointing out three injuries found on the person of the injured which are grievous in nature.

In the facts and circumstances as stated above, considering that there is no allegation of repeating the blow, there was no intervening circumstance, charge sheet has already been submitted and as such 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 A.C.J.M. Bagha, West Champaran in Bagha (Pathkhuli) P.S. Case No. 509 of 2014, 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)

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