

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32155 of 2015

Arising Out of PS.Case No. -70 Year- 2015 Thana -FORBESGANJ District- ARRARIA

1. Naresh Bahardar Son of Udyanand Bahardar, resident of village-
Gangbhag (Belahi), Police Station - Simraha, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. S.Dayal(App)

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

ORAL ORDER

3 05-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Forbesganj
(Simraha) P.S. Case No. 70 of 2015 registered for the offences
punishable under Sections 147, 323, 324, 325, 341/34 of the
Indian Penal Code and Section 307 IPC was added later on.

Allegation against the petitioner is that during the
occurrence he assaulted Rityanand Bahardar with Khanti on his
head causing cut injury.

Submission is of false implication and that after two days
of the occurrence the case has been lodged. The case is counter
blast of Forbesganj P.S. Case No. 71 of 2005 lodged by
Sanjay Bahardar against the present informant and others. Due to
land dispute the occurrence has taken place, there is no allegation

that the petitioner has repeated the blow and is suffering in custody since 05.05.2015 having no criminal antecedent. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP opposes the prayer of bail by submitting that on vital part the petitioner has given Khanti blow.

In the facts and circumstances stated above, considering that there is no allegation for repeating the blow and there is admitted land dispute and there is case and counter case, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 70 of 2015, 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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