

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27532 of 2015

Arising Out of PS.Case No. -71 Year- 2015 Thana -CHAPRA MUFFASIL District- SARAN

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1. Parshuram Rai son of Deolal Rai Resident of Village- Methbalia,Police Station Chapra Mufassil,district Saran at chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-10-2015 Heard the learned counsel for the petitioner, the learned A.P.P as also learned counsel for the Informant.

The petitioner seeks bail in a case for the offences punishable under sections 323, 324, 341, 307 and 379/34 of the I.P.C

The allegation against the petitioner is that he along with other accused armed with Sword and Dab assaulted the informant and his son Sanjay Rai on their head and other parts of the body who sustained injuries on the head and other parts of their body.

Submission is of false implication and that there was free fight between the parties for land dispute. There is a counter case vide Chapra Mufassil P.S. Case No. 72 of 2015 and at the

side of the petitioner also three persons sustained grievous and simple injuries on their persons and the petitioner is suffering in custody since 09.04.2015. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and further against the petitioner there is no specific allegation.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that Vijay Rai sustained as many as six incised wounds on the head and other parts of his body and further Sanjay Rai has sustained eleven injuries on his body including his head and some of those injuries are grievous in nature.

In the facts and circumstances as stated above, considering that both sides have received injuries and against the petitioner there is no specific allegation and as such considering his detention now 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. Saran at Chapra in Chapra Muffasil P.S. Case No. 71 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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