

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23806 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -GUTHNI District- SIWAN

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1. Munnilal Ram S/o Chhagur Ram
2. Chunnilal Ram S/o Chhagur Ram
3. Krishna Ram S/o Chhagur Ram All Resident of Village Nainijor, P.S. Guthni, District Siwan.
..... Petitioner/s
Versus
1. The State of Bihar
..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Naresh Dikshit
For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioners and learned A.P.P. representing the State.

Petitioners seek bail in connection with Guthni P.S. Case No. 09 of 2015 registered for the offences punishable under Sections 341, 323, 504, 307/34 of the Indian Penal Code.

Allegedly when the husband of the informant was connecting electric wire on the pole, the petitioners and other F.I.R. named accused persons having bricks and labda came there and started abusing and assaulted him by which he became injured and fell down and became unconscious.

Submission is that there is case and counter case. There was free fight between the parties and there is no specific allegation against the petitioners rather the allegations are omnibus and general in nature and the petitioners are in custody since 27th

February, 2015 having no criminal antecedent. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence to which the learned A.P.P. opposes by submitting that grievous injury on the vital part of the body of Mahesh Ram has been found by the doctor.

Considering that there is case and counter case and now by remaining in custody the petitioners have been sufficiently penalized at this stage and as such the above named petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Siwan arising out of Guthni P.S. Case No. 09 of 2015 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 petitioners will remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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