

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49652 of 2015

Arising Out of PS.Case No. -98 Year- 2015 Thana -NAUHATTA District- SAHARSA

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1. Shivjee Pashi @ Shivjee Pasi Son of Heera Pashi Resident of Village-
Muradpur , Tola Laxmipur ,P.s Nauhatta District Saharsa.

.. Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Ajit Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Nauhatta
P.S. Case No. 98 of 2015 registered for the offences punishable
under Sections 147, 149, 323, 504, 342, 307/34 of the Indian
Penal Code.

Allegedly, the petitioner and other co-accused named in
the FIR being armed with Lathi, Pijauna and Danda came and
started assaulting the informant and the petitioner gave Pijauna
blow on the head of the informant and further fracture of left hand
was caused.

Submission is of false implication due to toddy business.
Injury report does not support the contention of the prosecution,
there is no allegation that the petitioner repeated the blow and the

injury found on the person of the informant is simple in nature and the petitioner is suffering in custody since 25.08.2015 having no criminal antecedent. Similarly situated co-accused have been allowed pre-arrest bail.

Learned APP submits that against the petitioner there is allegation that he gave blow on the head but from annexure-2 the injury is simple in nature.

In the facts and circumstances stated above, 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, Saharsa in connection with Nauhatta P.S. Case No. 98 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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