

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35021 of 2015

Arising Out of PS.Case No. -108 Year- 2012 Thana -RUNISAIDPUR District- SITAMARHI

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1. Ram Ashray Paswan son of Late Dahaur Paswan Resident of Village - Basatpur, P.S. - Runnisaidpur, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-11-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 108 of 2012 registered for the offence punishable under Sections 341, 323, 324, 307, 379/34 of the Indian Penal Code.

Allegation against the petitioner is that he gave knife blow in the stomach of the informant causing bleeding and thereafter, co-accused Ramawtar Paswan bite him.

Submission is of false implication, no offence under Section 307 IPC is made out, allegation of theft is merely ornamental. The petitioner is an old man aged about 65 years, the injuries found on the person of the informant are simple in nature

and the petitioner by remaining in custody has sufficiently been penalized. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

In the facts and circumstances stated above, considering that there is no allegation that the petitioner repeated the knife blow and the injuries found on the person of the informant are simple in nature, 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 108 of 2012, 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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