

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17204 of 2015**

Arising Out of PS.Case No. -44 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

Bhajju Bind, S/o Bigu Bind, resident of village - Balua, P.S. Sonhan,  
District - Kaimur at Bhabua

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Satyendra Pandey

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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

5 21-12-2015

Heard learned counsel for the petitioner and learned

Special P.P. representing the State.

The petitioner seeks bail in connection with Bhabhu  
(Sonhan) P.S. Case No. 44 of 2015 registered for the offences  
punishable U/s 302, 109/34 of Indian Penal Code and 3(I)(v) SC/ST  
(Prevention of Atrocities) Act.

Allegedly, the petitioner being instigated by co-  
accused Bharat Bind started assaulting Baijnath Paswan, the father of  
the informant, with fists and slaps and further threw him down on the  
pucca road and in the meantime other co-accused came and assaulted  
him on his chest with foot resulting Baijnath Paswan died.

Submission is of false implication and that the wife of  
the petitioner has lodged case against the son of the informant as she  
was misbehaved on 22.01.2015. The petitioner has got no criminal  
antecedent and he is suffering in custody since 29.01.2015. The  
postmortem report does not support the prosecution version.

Learned Special P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioner threw the deceased on the road.

In the facts and circumstances stated above, considering that the doctor has found simple external injury on the person of deceased caused by hard blunt object and cause of death was not ascertained, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhabua at Kaimur in connection with Bhabua (Sonhan) P.S. Case No. 44/2015 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 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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