

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11456 of 2015

Arising Out of PS.Case No. -86 Year- 2009 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Ashok Sahni son of Bano Sahni Resident of village : - Manjhoul Tola
Sanjat, P.S. - Cheria Bariarpur, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR
LAL
ORAL ORDER

4 26-06-2015 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for

the offence punishable under sections 302/34 of the Indian Penal

Code.

The allegation is that six named including the

petitioner and six unknown persons assaulted the informant and

his father Bhupendra Singh, the deceased. There is specific

allegation against the petitioner to have pressed Hydrocele of the

deceased.

It is submitted that some of the accused persons

were put on trial and the statement of the Doctor in Sessions Trial



No. 272 of 2010 was recorded in which it has come that there was no injury on the hydrocele of the deceased and some of the accused persons have been acquitted. Regarding assault there is omnibus and general allegation against the petitioner and 11 others. However, after investigation charge sheet has already been submitted against the petitioner and there is no chance of tampering with the witnesses. The petitioner is in custody since 11.11.2014 having no criminal antecedent.

Learned counsel for the State submits that the petitioner appears to be an absconder and there is specific allegation of overt act against him.

Considering the facts and circumstances stated above, the above named 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 Sri Deopriya, Judicial Magistrate, Begusarai/the court concerned **after fanning of charge** in connection with Cheria Bariyarpur P.S. Case No. 86 of 2009 with the following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.

3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned court below concerned.

(Amaresh Kumar Lal, J)

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