

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19312 of 2015

Arising Out of PS.Case No. -136 Year- 2014 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Shekh Sabir Ali Son of Late Nasiruddin Resident of Village - Pakariya,
P.S. Chhaurodano, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 17-09-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The prosecution case is that the alleged occurrence took place on account of land dispute and it is alleged that the petitioner gave a spade blow to informant's brother on his head and he sustained grievous injury on his head.

The submission of the petitioner is that there is case and counter case between the parties and as a matter of fact the petitioner also sustained injury in the aforesaid occurrence and got treated himself in a hospital. Moreover, the petitioner is in custody since 12.12.2014.

Learned counsel for the informant opposed the prayer pointing out that petitioner was earlier convicted in Chauradano P.S. Case no. 65 of 1999 for the offence punishable under Sections 302 and other allied Sections of the Indian Penal Code.

Considering the facts and circumstances as well as submissions of the parties, let petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri

S. K. Srivastava, Judicial Magistrate, Ist Class, Motihari, East Champaran, in Chhauradano P. S. Case no.136 of 2014.

However, if any complain regarding tampering of the prosecution evidence is made against the petitioner in course of trial, the learned trial court shall be at liberty to cancel the bail bond of the petitioner after due and proper enquiry.

(Hemant Kumar Srivastava, J)

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