

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35134 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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1. Radha Krishna Singh Son of Late Ramanuj Singh, Resident of Village -
Bhairo Bigha, P.S. - Sare, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 23-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Nalanda P.S.
Case No. 52 of 2015 registered for the offences punishable under
Sections 341, 323, 307, 325, 341 of the Indian Penal Code,
Sections 3 (i) (x) of SC/ST (Prevention of Atrocities) Act and later
on Section 302 IPC was added.

Allegedly, due to love affairs going on between the
daughter of the petitioner and son of the informant, the petitioner
and his two sons started assaulting the informant, her son and the
friend of her son causing serious injuries to her son who later on
succumbed to the injuries during treatment.

Submission is of false implication and that there is no



specific allegation against the petitioner. The daughter of the petitioner has lodged Complaint Case No. 720 (c) of 2015 against Pankaj Kumar (deceased) and Aditya Kumar who were trying to outrage the modesty of the daughter of the petitioner and due to alarm being raised Pankaj Kumar and Aditya Kumar jumped from the roof and in that course they sustained injuries. None of the injuries have been found on the vital parts of the body, alcoholic smell was coming out from the mouth of Pankaj Kumar. Pankaj Kumar died during treatment but his statement has not been recorded by the Police. Other independent witnesses have not supported the prosecution version, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and the petitioner who is suffering in custody since 31.05.2015 deserves sympathetic consideration to which the learned Special P.P. opposes.

In the facts and circumstances stated above, considering the allegation and counter allegation and further that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, 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,

Nalanda at Bihar Sharif in connection with Nalanda P.S. Case No. 52 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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