

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29475 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -RAIL District- LAKHISARAI

1. Ajay Das Son of Dhaneshwar Das
2. Ranjay Das Son of Dhaneshwar Das
3. Dhaneshwar Das Son of Late Hira Das
All resident of Village & P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Ashraf Ansari(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-10-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners seek bail in connection with G.R.P. Jamalpur P.S. Case No. 01 of 2015 registered for the offences punishable under Sections 341, 324, 307, 504, 506/34 of the Indian Penal Code.

Allegedly, the petitioners and co-accused entered into the Bogie of Vikramsheel Express wherein the informant and his brother-in-law (Bahnoi) were travelling and started abusing and then co-accused Sanjay Das gave blow with Nepali Katta (sharp cutting weapon) resulting the Bahnoi of the informant sustained cut injury in his hand and the petitioner no. 1 gave sword

blow causing cut injury in the right hand of informant's Bahnoi and the incident took place due to land dispute.

Submission is of false implication and that there is no allegation that the petitioner no. 1 has repeated the blow. Three injuries have been found on the person of Anil Das and no injury is dangerous, there is a case lodged by petitioner no. 1 and in retaliation this case has been lodged and as such the petitioners deserve sympathetic consideration as they are suffering in custody since 11.05.2015 and 13.04.2015 respectively. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and the petitioners have got no criminal antecedent to which the learned APP does not oppose.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri V. V. Gupta, Railway Judicial Magistrate, Kiul in connection with G.R.P. Jamalpur P.S. Case No. 01 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 petitioners shall remain present on each and every date during trial and the default on two

consecutive dates on their part without any reason shall disentitle
the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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