

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25401 of 2015

Arising Out of PS.Case No. -25 Year- 2014 Thana -SALAIYA District- AURANGABAD

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1. Manoj Bhuiyan @ Manon Bhuiyan Son of Jagdish Bhuiyan resident of
village- Chai, Tola- Azad Bigha, P.S.- Salaiya, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-10-2015

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Salaiya P.S.
Case No. 25 of 2014 registered for the offences punishable under
Sections 341, 323, 324, 307 & 504/34 of the Indian Penal Code.

Allegedly, the petitioner assaulted the informant with
Daab on his head causing grievous injury and further Sunaina
Devi was assaulting with Danda and after treatment FIR has been
lodged.

Submission is of false implication and that the FIR has
been lodged after 9 days of the occurrence and further in the FIR
there is allegation that the petitioner assaulted with Daab on his
head and there is no allegation of repeating the blow but the doctor
has mentioned in the injury report regarding three incised wound

and further there is manipulation in the date given beneath the signature of the doctor. The petitioner is suffering in custody since 01.02.2015. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP opposes the prayer of bail by submitting that against the petitioner there is allegation of assault on the head but fairly concedes that there is delay in lodging the first information report.

In the facts and circumstances stated above, 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, Aurangabad in connection with Salaiya P.S. Case No. 25 of 2014, 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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