

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5587 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -DESARI District- VAISHALI(HAJIPUR)

1. Jay Mangal Rai son of Late Brinchi Rai, resident of Village- Sultanpur,
P.S. Deshari, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Md.Sufiyan (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 01-04-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 341, 323, 325, 307, 448,
379, 504 and 506 of the I.P.C

The allegation against the petitioner is that he
assaulted Surti Devi, the mother of the informant, with iron rod on
her head and further other co-accused assaulted with lathi, danda
and iron rod to the informant also and the petitioner further
assaulted the informant also.

Submission is of false implication and that there is
case and counter case, earlier to this case the wife of the petitioner
has lodged a case bearing Deshari P.S. Case No. 210 of 2015, the

injury found on Surti Devi has been noticed caused by the sharp cut substance and as such the allegation made against the petitioner appears not reliable, the petitioner without any fault is suffering in custody since 04.12.2015, the manner of the occurrence as alleged by the informant is not the true version and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the 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 C.J.M. Vaishali at Hajipur in Deshari P.S. Case No. 215 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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