

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5931 of 2016

Arising Out of PS.Case No. -243 Year- 2014 Thana -PAROO District- MUZAFFARPUR

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1. Manoj Kumar Son of Baldeo Bhagat, Resident of Village - Khutahi, P.S.
- Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with S.Tr. No. 211 of 2015 arising out of Paroo P.S. Case No. 243 of 2014 registered for the offences punishable under Sections 341, 323, 324, 325, 307 and 302/34 of the Indian Penal Code.

Allegedly, the informant after knowing that his father was being assaulted, went there and saw his father injured and his father disclosed that the petitioner assaulted him with knife, causing injury on his face and further Pappu Kumar @ Mukesh Kumar assaulted with iron rod, causing fracture of teeth and Monu Kumar assaulted with butt of the pistol and iron rod.

Submission is that the petitioner is not the assailant,



against him there is allegation for causing injury on the cheek. Sonu Kumar against whom there is allegation of assault with iron rod, has already been allowed bail along with Monu Kumar by another co-ordinate Bench of this Court vide order dated 05.05.2016 passed in Cri. Misc. No. 6140 of 2015, father of the informant was not in a position to give the statement which is evident from para-3 of the case diary and the informant named the petitioner and others due to enmity, another co-accused Pappu Kumar @ Mukesh Kumar has also been allowed bail vide Cri. Misc. No. 25160 of 2015 and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that witness Bipin Kumar has stated that the petitioner Sonu Kumar and Monu Kumar assaulted the father of the informant with knife and iron rod.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the general and omnibus allegation and further considering the detention of the petitioner and that chargesheet has already been submitted and, as such, he 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 11th Additional Sessions Judge, Muzaffarpur in

connection with S.Tr. No. 211 of 2015 arising out of Paroo P.S. Case No. 243 of 2014 subject to the conditions that one of the bailors must be 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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