

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8142 of 2016

Arising Out of PS.Case No. -138 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Achhelal Bhagat son of Ram Janam Bahagt, R/o Village- Rasoolpur,
P.S.- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. Shyam Kr.Singh(App)

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

4 20-06-2016

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 341, 323, 354, 308 and 307/34 of the
I.P.C

Allegedly, in the occurrence the petitioner assaulted
Raj Kumari, the grand daughter of the informant, with *farsa* on her
head and other assaulted others.

Submission is of false implication and that the
petitioner is in custody since 03.12.2015, there is no allegation that
the petitioner repeated the blow, no offence under section 307 of
the I.P.C. is made out, the injuries found on the person of Raj
Kumari are simple in nature which is mentioned in paragraph-23

of the case diary and as such the petitioner deserves sympathetic consideration as charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering detention of the petitioner, now he 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. Siwan in Hussainganj P.S. Case No. 138 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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