

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15345 of 2016

Arising Out of PS.Case No. -279 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

1. Md. Afsar Son of Sheikh Jakir resident of Village - Mankaul, Police Station - K.Nagar (Srinagar), District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Rajesh Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-05-2016

Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. representing the State.

The petitioner seeks bail in connection with K. Nagar (Srinagar) P.S. Case No. 279 of 2015 registered for the offences punishable under Sections 341, 323, 325, 307, 504 and 506/34 of the Indian Penal Code.

Allegedly, due to land dispute the petitioner and other co-accused came abusing the informant and started assaulting him with fists and slaps and the petitioner assaulted the informant with Dabia on his head, causing 2-3 cuts and bleeding.

Submission is of false implication, there is case and counter case, the present case is counter blast of K. Nagar (Srinagar) P.S. Case No. 274 of 2015, there was no intention to commit murder, the mother of the petitioner has received injury

also and the petitioner is suffering in custody since 19.02.2016.

Learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that two sharp wounds have been found by the doctor.

In the facts and circumstances stated above, considering the land dispute and further there is case and counter case, charge sheet has already been submitted, there is no chance of tampering with the prosecution evidence and as such 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 like amount each to the satisfaction of Smt. Shachi Mishra, Judicial Magistrate 1st Class, Purnea, in connection with K. Nagar (Srinagar) P.S. Case No.279 of 2015 (G.R. No. 2527 of 2015), subject to 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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