

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17206 of 2016

Arising Out of PS.Case No. -300 Year- 2015 Thana -GARKHA District- SARAN

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1. Mithilesh Kumar aged about 21 years Son of Radha Sharan Rai Resident of Village- Gopur, Ps Garkha, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Nirmala Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 04-07-2016 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, 324, 307, 504 and 379/34 of the I.P.C

Allegation against the petitioner is that in the occurrence he assaulted the informant with Dab on his head causing injury.

Submission is of false implication due to the enmity, the petitioner has got no criminal antecedent, there is no allegation that the petitioner repeated the blow, the doctor has found the injury caused on the person of the informant simple in nature and the petitioner by remaining in custody since 08.03.2016 now has

been sufficiently penalized.

The learned A.P.P. submits that after obtaining C.T. Scan report the injury has been found simple.

In the facts and circumstances as stated above, considering that the 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 A.C.J.M-IV, Chapra in Garkha P.S. Case No. 300 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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