

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21479 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -DANDKHORA District- KATIHAR

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Sharwan Roy @ Shrawan Roy Son of Singaswar Roy Resident of Village -
Harijan Tola, Souria, Police Station - Dandkhora, District - Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. Bageshwar Kumar Rajak Son of Ganga Rajak Resident of Village -
Harijan Tola, Souria, Police Station - Dandkhora, District - Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Pravin Chandra Prasad, Advocate.

For the Opposite Parties : Mr. Sangeeta Sharma(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Dand
Khora P.S. Case No. 19 of 2016 (G.R. No. 1035 of 2016)
registered for the offences punishable under Sections 147, 149,
323, 325, 307, 454, 427 and 379 of the Indian Penal Code.

The allegation against the petitioner is that he
assaulted Arjun Roy, the brother of the informant with iron rod,
causing injury to him and thereafter again the accused persons
damaged the glass of tempo and took away box, containing cash
of Rs. 20,000/- and ornaments and further assaulted the mother,
another brother and Bhabhi of the informant.

Submission is of false implication and that there is
case and counter case, due to land dispute, the occurrence has

taken place, both sides received injury, the injury caused to Arjun Roy is incised wound on the middle of the scalp, earlier no opinion regarding nature of injury was given but later on, it has been opined that it was grievous, the petitioner is in custody since 22.03.2016 and as such he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that charge sheet has been submitted and 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 learned Chief Judicial Magistrate, Katihar in connection with Dand Khora P.S. Case No.19 of 2016 (G.R. No. 1035 of 2016), 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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