

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -CHANAN District- LAKHISARAI

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1. Arjun Sao Son of Late Masudan Sao,
2. Birju Kumar @ Birju Sao, Son of Arjun Sao, Both resident of village -
Basuachak, P.S. - Chanan, District - lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Ansuiya Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-02-2016

Heard learned counsel for the petitioners and learned

A.P.P. representing the State.

The petitioners seek bail in connection with Chanan P.S. Case No. 43 of 2015 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 379, 307 of the Indian Penal Code.

Allegedly, due to land dispute altercation started wherein the petitioner and other co-accused assaulted the informant with tangi and iron rod causing injury on his head and other parts of the body and when the wife of the informant came she was also assaulted and further, the son of the informant was also assaulted and they took away wrist watch from the informant and gold chain from the wife of the informant.

Submission is of false implication and that there is case and counter case, from earlier also in between the parties,

case is going on, there is no specific allegation against the petitioners, the allegations are omnibus and general in nature, injuries found on the person are not dangerous to life and as such the petitioners who are suffering in custody after their surrender since 28.9.2015 deserves sympathetic consideration.

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

In the facts and circumstances stated above, considering that the charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence and as such the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M., Lakhisarai, in connection with Chanan P.S. Case No. 43 of 2015, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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