

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41978 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -ANDHRAMATH District- MADHUBANI

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1. Rabindra Yadav @ Ravindra Yadav son of Late Chandra Shekhar Yadav,
resident of Village- Dudhaila, P.S. Andhramath, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Matloob Rab, APP-34

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-10-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Andhramath P.S. Case No. 53 of 2016 registered for the offences punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

Allegedly, the petitioner assaulted the son of the informant with axe on his chest and head causing injury to him and further female accused persons took away the box containing cash of Rs. 5,000/-, clothes and documents.

Submission is of false implication and that the injured Alok Kumar has been examined by doctor and only one injury has been found no injury has been found on the chest and as such the manner of occurrence as alleged appears not true and further in the chargesheet Alok Kumar has not been named as

charge sheet witness as he has not been examined by the police though he is the injured.

Learned A.P.P. opposes the prayer of bail by submitting that from injury report which is Annexure-2 it reveals that grievous injury has been found on the head of Alok Kumar the son of the informant.

In the facts and circumstances stated above, considering that due to land dispute the occurrence has taken place, petitioner is in custody since 23.06.2016 and charge sheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sanjay Kumar Rai Judicial Magistrate, 1st Class, Jhanjharpur in connection with Andhramath P.S. Case No. 53 of 2016 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 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.

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(Jitendra Mohan Sharma, J)

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