

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50868 of 2016

Arising Out of PS.Case No. -122 Year- 2015 Thana -PALASI District- ARRARIA

=====

Sajid, Son of Illiyas, Resident of Village - Kakorawa, Police Station - Palasi
in the district of Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
12.08.2016 in connection with Palasi P.S. Case No. 122/15 for
offences punishable under Section 307 and other allied Sections of
the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that due to some land dispute the petitioner along with others
variously armed came and petitioner assaulted the father of the
informant by *bhala* hitting him on the temporal region.

It has been submitted by the learned counsel for
the petitioner that he is innocent, has no criminal antecedent and
has falsely been implicated in the aforesaid case. It is submitted



that secondary injury report of the injured father of the informant Md. Israil states that the injury is grievous, but the same has been prepared on 24.07.2015, whereas the injury was alleged to have been caused on 29.06.2015 and the age of the injury has been reported as within six hours, which is contradictory. It is further submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances, submissions of the parties and since charge-sheet has been submitted, from the materials available, it does not reveal that the petitioner's liberty on bail would adversely affect his trial, hence, in the interest of justice, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri R. Naraina, ACJM, Araria, in connection with Palasi P.S. Case No. 122/15.

This direction of bail is, however, subject to the condition that one of the bailors should be the close relative of the petitioner and the other bailor should have sufficient immovable



property within the jurisdiction of the concerned police station/
court and that the petitioner will appear before the learned court
below on each and every date and failure to appear on two
consecutive dates without assigning any reason will entail
cancellation of his bail bonds.

(Nilu Agrawal, J.)

Rajesh/-

U		T	
---	--	---	--

