

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54594 of 2016

Arising Out of PS.Case No. -331 Year- 2016 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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Amod Kumar Son of Shivji Paswan Resident of Village-Kanu Tola P.S.
Bakhtiarpur Distt.-Saharsa Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bakhtiarpur
P.S. Case No. 331 of 2015 registered for the offences punishable
under Sections 323, 307/34 of the Indian Penal Code.

The petitioner is not named in the first information report
but, later on, the informant during investigation in his further
statement has stated the name of the petitioner and one Tarun
Kumar besides two unknown who have assaulted him and that
statement has come after 4-5 days of the occurrence.

Submission is of false implication and that in this case
similarly situated co-accused Tarun @ Aditya Raj @ Mangla @
Tarun Kumar has been allowed bail vide Cr. Misc. No. 54101 of
2016 by another co-ordinate Bench of this Court and case of the
petitioner is on better footing or on similar footing.



Learned APP fairly submits that the petitioner is not named in the first information report but later on during investigation name of the petitioner transpired.

In the facts and circumstances stated above, 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 the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Bakhtiarpur P.S. Case No. 331 of 2016, 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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