

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25416 of 2016

Arising Out of PS.Case No. -126 Year- 2015 Thana -SANOKHAR (Amdanda) District-
BHAGALPUR

Janardan Pandit son of Adhiklal Pandit, resident of Village Bailsar, P.S.
Sanokhar(OP-Amdanda) Bhgalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 16-06-2016

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Sanokhar (Amdanda) P.S.
Case No. 126 of 2015 dated 31.12.2015 instituted under Sections
147/149/341/323/307/504/506 of the Indian Penal Code.

The allegation against the petitioner is of inflicting blow
by '*lathi*' on the head of the father and mother of the informant.
Initially, the case was registered under various sections including
Section 307 of the Indian Penal Code to which later on Section 302 of

the Indian Penal Code was also added, as father of the informant died.

Learned counsel for the petitioner submits that due to a petty issue of urinating in the field, skirmish took place between the parties in which both sides have sustained injuries. It is submitted that, in fact, the injury on the side of the petitioner is grievous in nature compared to the injury suffered by the prosecution party in the present case. It is submitted that only due to sheer chance there was death of the father of the informant, without there being any deliberate design or intention to kill. It is submitted that for the same occurrence there is a counter case being Sanokhar (Amdanda) P.S. Case No. 127 of 2015 of the same day, in which the petitioner is the informant. Learned counsel submits that the petitioner, having clean antecedent, is in custody since 31.12.2015.

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

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-4, Bhagalpur in Sanokhar (Amdanda) P.S. Case No. 126 of 2015.

The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also

give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and failure to do so shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	N/A
CAV DATE	N/A
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