

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13256 of 2016

Arising Out of PS.Case No. -160 Year- 2015 Thana -BARBIGHA District- SEKHPURA

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1. Rajkumar Das Son of Rahesh Das, resident of Village Banabigha, P.S. Barbigha, District Sheikhpura. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sahin Begum (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN

SHARMA

ORAL ORDER

4 20-06-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Barbigha P.S. Case No. 160 of 2015 registered for the offences punishable under Sections 448, 323, 324, 380, 307, 504 and 506/34 of the Indian Penal Code.

Allegedly, the petitioner earlier was assaulting the parents which was intervened by Ranjeet Das and Sanjeet Das, thereafter, the petitioner and other co-accused came at the house of the informant and started committing loot and in that process the petitioner assaulted the informant with knife in his stomach resulting he became unconscious and thereafter, they fled away with the articles.

Submission is of false implication and that the prosecution story appears not probable and reliable, the petitioner has got no criminal antecedent and he is in custody since

06.08.2015, the injuries have been found on the person of the informant are only skin deep, opinion regarding injuries no. 1 and 2 are simple and 3 and 4 was kept reserved, other co-accused have already been allowed pre-arrest bail and, as such, the petitioner deserves sympathetic consideration.

The learned APP opposes the prayer of bail by submitting that four injuries have been found by the doctor on the person of the informant but all are skin deep.

In the facts and circumstances stated above, considering the detention of the petitioner now, he 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. P.K. Shrivastava, learned J.M. 1st Class, Sheikhpura in connection with Barbigha P.S. Case No. 160 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 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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