

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38321 of 2016

Arising Out of PS.Case No. -212 Year- 2015 Thana -WARSALIGANJ District- NAWADA

Bablu Kumar, Son of Satyadeo Prasad, Resident of Mohalla Warisaliganj
Northern Market P.S. Warisaliganj, District Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar, Advocate

For the Opposite Party : Md. Anzarul Haque Sahara (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-10-2016

Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner seeks bail in connection with
Warisaliganj P.S Case No. 212 of 2015 registered for the offences
punishable under Sections 341, 324, 307/34 of the Indian Penal
Code.

Allegedly, in the First Information Report only
allegation against the petitioner is that he caught the informant
from behind and co-accused Kunal Kumar gave sword blow on his
neck which hit in left chick and ear.

Submission is of false implication and that the
petitioner is not the assailant, he has not connected with any overt
act, he has not assaulted the informant in anywhere and without

any fault he is suffering in custody since 29.06.2016 and, as such, he deserves sympathetic consideration. During investigation the supervising authority has found the case true under section 341, 324/34 of the Indian Penal Code

The learned A.P.P. fairly submits that allegation of assault is against co-accused Kunal Kumar and not against the petitioner.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned S.D.J.M., Nawada, in connection with Warisaliganj P.S. Case No. 212 of 2015, 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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