

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6783 of 2016

Arising Out of PS.Case No. -134 Year- 2012 Thana -RUPASPUR District- PATNA

=====

1. Nirdhan Sahani Son of late Tula Sahani R/o Tesh Lal Verma Nagar, P.s
Rupaspur, District Patna..... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Gautam Shah

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-02-2016

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

Petitioner seeks bail in connection with Rupaspur P.S.
Case No. 134 of 2012 registered for the offences punishable under
Sections 341, 323, 307, 379, 504, 427/34 of the Indian Penal
Code.

Allegation against the petitioner is that he and Nasle
Miyan assaulted Sanjay Kumar, the brother of the informant, with
iron rod on his head and further took out Rs. 2,000/- from his
pocket.

Submission is of false implication and that the petitioner
is suffering in custody since 02.09.2012 having no criminal
antecedent. The dispute has arisen at the time of taking drink,
there was no intention on the part of the petitioner, though the

injury has been found on the head of Sanjay Kumar but for that the petitioner is not only responsible but for that co-accused Nasle Miyan is also responsible and it is not specific as to whose blow caused injury and as such the petitioner deserves sympathetic consideration as in near future trial is not likely to be concluded to which the learned APP fairly submits that after considering the period of detention lenient view can be taken.

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 Additional Sessions Judge VI, Danapur in S. T. No. 1053 of 2013 in S. T. No. 1053 of 2013 arising out of Rupaspur P.S. Case No. 134 of 2012, 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)

avin/-

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