

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8957 of 2016

Arising Out of PS.Case No. -652 Year- 2015 Thana -KOTWALI District- PATNA

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Suraj Kumar Son of Sri Subhan Prasad Resident of Mohalla - Hanuman
Nagar, Janki Nagar Road No. 2, P.S. Patrakar Nagar, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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

2 25-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 341, 324, 307, 504 of the Indian Penal
Code and 3(ix)(x) of SC & ST Act.

Allegedly, the petitioner abused the informant in
filthy languages after taking the name of his caste, assaulted with
brick on his leg and thereafter gave knife blow in his abdomen.
However, the petitioner was apprehended and was handed over to
the police.

Submission is of false implication and that no offence
under Section 307 I.P.C. is made out, the petitioner is a member of
extremely backward caste, is suffering in custody since

26.10.2015 having clean antecedent, only one injury was found on the person of the informant which is 1 ½ cm x ¼ cm and no other external injury has been found, the petitioner has not repeated the blow and as such he deserves sympathetic consideration to which learned Special P.P. opposes.

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 Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No.652 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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