

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6072 of 2016

Arising Out of PS.Case No. -16 Year- 2015 Thana -KARJA District- MUZAFFARPUR

Sakinder Pandit @ Sakindra Pandit Son of Jagan Pandit resident of village
- Salahpur, P.S. Karja, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Satyendra Narayan Singh, Advocate.
For the Opposite Party : Ms. Indu Bala Panday(App)

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

3 07-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Karja P.S.
Case No. 16 of 2015, registered for the offences punishable under
Sections 323, 307, 302 and 34 of the Indian Penal Code.

Allegedly co-accused Nawal Pandit and Bharat Kumar
caught the husband of the informant, co-accused Bhajan Pandit
started pressing neck and Birendra Pandit, the petitioner and Rohit
Kumar started assaulting with rod resulting the husband of the
informant died and when the informant tried to save him she was
also assaulted by Jagan Pandit. Motive, behind the occurrence is
alleged to be land dispute.

Submission is of false implication and that only one

bruise on forehead and one bruise on left palm were found on the person of the deceased caused by hard and blunt object and there is allegation against three persons for assaulting with rod and as such the prosecution story is not reliable. However, now the case has been compromised and compromise petition has also been filed in the court below.

The learned APP opposes the prayer of bail but fairly submits that only two bruises one on the forehead and another on the left palm of the deceased were found whereas the learned counsel for the informant does not oppose the prayer of bail under the changed circumstances.

In the facts and circumstances stated above, considering that charge sheet has already submitted and there is no chance to tampering with the prosecution evidence, 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 Smt. Rashmi, the learned Judicial Magistrate 1st Class at Muzaffarpur in connection with Karja P.S. Case No. 16 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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