

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8999 of 2016

Arising Out of PS.Case No. -186 Year- 2015 Thana -UCHAKAGAON District- GOPALGANJ

1. Bharat Thakur Singh @ Bharat Thakur S/o Late Mangal Singh, Resident of Village - Dorapur, P.S. - Uchakagaon, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Uchakagaon P.S. Case No. 186 of 2015 registered for the offences punishable under Sections 341, 323, 324, 307, 354, 504/34 of the Indian Penal Code and Section 3(I) (X) SC/ST Act.

Allegedly, the petitioner and other co-accused surrounded the informant, started abusing her after taking her caste name and further the petitioner torn her blouse and started misbehaving with her, co-accused Daroga Thakur Singh assaulted with fist and slaps and when Tarkeshwar Manjhi, the son of the informant came there, he was assaulted with spade on his head causing cut and bleeding injury and further co-accused Arbind

Singh took out mobile from the pocket of her son.

Submission is of false implication and that the place of occurrence is not mentioned in the First Information Report, the informant has received simple injuries whereas, her son has also received simple injuries and one of the injuries is mentioned as harmful to the life and all are caused by hard and blunt object and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 31.01.2016, the petitioner has also filed case against the husband of the informant vide Uchakagaon P.S. Case No. 193 of 2015.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner has caused injury to the son of the informant which is harmful to his life.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of six months in custody from the date of his remand** 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 A.C.J.M., IX, Gopalganj in connection with Uchakagaon P.S. Case No. 186 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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