

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14181 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -TEGHRA District- BEGUSARAI

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1. ASHWANI KUMAR @ LAUWA @ LAOWAS S/o Tuntun Singh
Resident of Village - Bajalpura, Police Station Teghra, District Begusarai.
... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Amitesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-05-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Teghra P.S.
Case No. 09 of 2016 registered for the offences punishable under
Sections 341, 323, 307, 504/34 of the Indian Penal Code.

Allegedly, for constructing latrine altercation started
between the parties and then the petitioner with intention to kill
the uncle of the informant gave lathi blow on his head, resulting,
he fell down, co-accused Tuntun Singh attacked on the informant.

Submission is of false implication due to land dispute,
there is no allegation that the petitioner repeated the blow and as
such offence under Section 307 IPC is not made out, as a matter of
fact the uncle of the informant fell down on the earth by which he
received injury on his head, chargesheet has already been

submitted and the petitioner is suffering in custody since 02.02.2016 and as such he deserves sympathetic consideration to which the learned APP opposes by submitting that the nature of injury has been found grievous.

In the facts and circumstances stated above, considering that there is no allegation of repeating the blow, 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 Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 09 of 2016, 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.

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(Jitendra Mohan Sharma, J)

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