

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19088 of 2016

Arising Out of PS.Case No. -86 Year- 2015 Thana -SRI NAGAR District- MADHEPURA

1. Chouthi Das Son of Late Thakur Das, Resident of Village - Mangalwara,
P.S. - Sri Nagar, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha, Advocate

For the Opposite Party/s : Mr. Md . Ansural Haque (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 29-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sri Nagar
P.S. Case No. 86/15 registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324 and 302/34 of the Indian
Penal Code.

In the First Information Report, against the petitioner,
there is general and omnibus allegation for assaulting the
informant and her family members along with other co-accused.
Specific allegation is against Naresh Das, who has assaulted with
Farsa on the head of the husband of the informant and further
against Pradeep Kumar who has assaulted with *Dabiya* to the son
of the informant.

Submission is that as alleged, the petitioner was only the member of the mob and he is suffering in custody since 14.12.2015 and, as such, he deserves sympathetic consideration to which the learned APP fairly submits that the petitioner is not the assailant.

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 Chief Judicial Magistrate, Madhepura in connection with Sri Nagar P.S. Case No. 86/15 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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