

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22176 of 2016

Arising Out of PS.Case No. -519 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Rakesh Kumar @ Tunna Singh @ Tunna son of Late Nand Kishore Singh
Resident of Village - Athri, P.S. - Runni Saidpur, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Kalayan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-05-2016 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, 323, 324, 447, 307 and 504 of the Indian Penal Code.

Allegedly, for cutting the ridge of the land, the petitioner abused and assaulted the informant with Bhujali which hit on his head and he fell down.

Submission is of false implication and that the doctor has found one lacerated wound 1" x ½" x deep to skin over right side of head caused by hard and blunt object vide Annexure-2. Thereafter, the informant after obtaining collusive City Scan Report from the private centre managed to obtain injury report

showing grievous in nature, there was no intervening circumstances, the petitioner as alleged, has not repeated the blow and as such he deserves sympathetic consideration as the alleged occurrence taken place due to land dispute. Charge sheet has already been submitted.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 Chief Judicial Magistrate, Sitamarhi in connection with Runni Saidpur P.S. Case No.519 of 2014, 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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