

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58235 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -SAHKUND District- BHAGALPUR

=====

1. Rudal Singh S/o: Bhumeshwar Singh Resident of Village: Juakar
Mandur, Ps. Shahkund, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Manoj Kumar-I(App)

=====

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

3 04-04-2016 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 147, 148, 149, 323, 324, 325, 326, 307,
379, 504 and 354 A of the I.P.C

Allegedly, the petitioner in the occurrence assaulted
Fudal Singh, the father of the informant with back portion of the
spade causing injury on his head and then Anil Singh assaulted
with iron rod in his neck causing piercing injury in his neck.

Submission is of false implication and that there was
no intention to commit murder, as alleged the petitioner assaulted
the father of the informant with blunt portion of the spade, the
petitioner is own brother of the injured and due to the land dispute

the occurrence has taken place, the petitioner is in custody since 28.06.2015, charge sheet has already been submitted, final injury report has not been received and as such the petitioner deserves sympathetic consideration as there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering custody of the petitioner, now he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M. Bhagalpur in Shahkund P.S. Case No. 53 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)

Abhay/-

U		T	
---	--	---	--