

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34192 of 2016

Arising Out of PS.Case No. -254 Year- 2015 Thana -SAHPUR District- BHOJPUR

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Jagar Nath Maurya @ Vijay Bahadur @ Nanhe, son of Late Lavdher Prasad, resident of Village-Lakhanpur, P.S.- Chil, District- Mirjapur (U.P.)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party : Mr. Sri Ajay Kumar Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-09-2016

Heard learned counsel for the petitioner and learned counsel for representing the State.

The petitioner seeks bail in connection with Shahapur P.S. Case No. 254 of 2015 registered for the offences punishable under Sections 341, 328, 307/34 of the Indian Penal Code.

Allegedly, the petitioner gave *laddu* to the informant when he boarded in Ambassador car to go to Piro and thereafter threw him down by pushing him, but due to alarm being raised the petitioner was caught whereas the driver of the vehicle succeeded in fleeing away, the informant became unconscious and in that state he was brought at police station where after treatment, he got sense.

Submission is of false implication and that the petitioner in custody since 29.08.2015, no offence under section

307 of the I.P.C. is made out. The petitioner has been made victim of the circumstances and, as such, he deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent and he was involved in similar cases.

In the facts and circumstances stated above, considering the detention of the petitioner and further there is no chance of tampering with the prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara arising out of Shahapur P.S. Case No. 254 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)

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