

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4479 of 2016

Arising Out of PS.Case No. -516 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Krishna Mahto S/o Satyanarayan Mahto R/o Near Gaurishankar Middle
School, Chowk, P.S. - Motihari Town, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Anuj Kr.Srivastava(App)

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

3 05-05-2016

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 307, 324 and 379 of the I.P.C

Allegedly, the petitioner started snatching the bag
containing cash of Rs. 15,000/- from the informant and on protest
gave knife blow which did not hit in the stomach but hit in the
right thigh causing bleeding and then the petitioner fled away with
the bag.

Submission is of false implication and that the
informant was not treated in the Government Hospital rather he
was treated in the private hospital, there is no allegation that the
petitioner repeated blow and as such the offence under section 307
of the I.P.C. is not made out, the injury caused is not on the vital

part of the body, the injury report has been manufactured just to falsely implicate the petitioner, the petitioner has got no criminal antecedent and he is suffering in custody since 07.08.2015 and now he has been sufficiently penalized, charge sheet has already been submitted and 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 detention 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 A.C.J.M. East Champaran at Motihari in Motihari Town P.S. Case No. 516 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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