

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8230 of 2016

Arising Out of PS.Case No. -266 Year- 2015 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Paras Kumar son of Binod Sah, resident of village –Bahadurpur, PS-
Samastipur (Town), District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. A.M.P.Mehta (APP)

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 21-04-2016

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

In this case, the petitioner is seeking bail in
connection with Mufassil P.S. Case No. 266 of 2015 registered for
offences under sections 324, 328, 420, 379/34 of the Indian Penal
Code.

As per the allegation made in the first information
report, the victim was sent for bringing the wife of the owner of
the vehicle, but in mid way this petitioner and co-accused persons
sought lift. All the three were in the vehicle, in mid way, they
consumed wine. It has been suspected that some intoxicant
material was administered in the wine of the victim. It has further
been alleged that the petitioner had cut the vein of the victim.
When he regained his conscious, found himself in a ditch.



The counsel for the petitioner submits that there is no injury report in the whole case diary. When there is a serious allegation has been made to have caused some injury in the wrist of the victim by cutting the vein then there should have been an injury report. From the case diary it appears that the Police has given its report where it has been stated that the victim had gone to New Delhi for his own work and when he returns, he would be examined by the doctor. The petitioner is in custody since 06.09.2015.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail **on or after 20th May 2016** on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Samastipur in connection with Mufassil P.S. Case No. 266 of 2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court

below will be at liberty to pass the order, including cancellation of
bail bonds.



Mahesh/-

(Shivaji Pandey, J)

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