

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25853 of 2016

Arising out of PS.Case No. -79 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

Prakash Sah, S/o Gopilal Sah, resident of Village - Kajha Kothi, P.S. - K. Nagar, District - Purnea.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Tarun Prasad Mandal, Advocate.

For the Opposite Party : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 25.03.2016 in connection with K. Nagar P.S. Case No. 79 of 2016 for the offences instituted under Sections 341, 323, 324, 307, 379 and 450/34 of the IPC.

The prosecution story, in brief, is that this petitioner gave Garasa blow on the neck of the informant's son but that was caused on his head and left hand. Co-accused Pappu Kumar Sah took away silver chain and golden *Chakti* from his neck. On chase, the petitioner was apprehended alongwith Garasa by the villagers and handed over to the police but co-accused Pappu Kumar Sah fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. It is a case and counter case. There is admitted enmity between the parties. Single *Garasa* blow is said to have been given by the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned S.D.J.M., Purnea, in connection with K. Nagar P.S. Case No. 79 of 2016.

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(Sudhir Singh, J)