

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38436 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -JHAJHA District- JAMUI

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Dindayal Yadav, S/o Late- Puns Yadav, R/o Village- Rajla, P.S- Jhajha,
District- Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brajesh Sahay, Advocate

For the Opposite Party : Mr. Sri Ashok Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner seeks bail in connection with Jhajha P.S
Case No. 115 of 2016 registered for the offences punishable under
Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

Allegedly, the petitioner and other F.I.R. named accused
persons came and asked the informant not to plough the land, and in
that process the petitioner assaulted the husband of the informant with
tangi on his head twice-thrice and thereafter the husband of the
informant fell down and the wife of Shankar and the wife of the
petitioner came at the place and started throwing bricks and stones.

Submission is of false implication and that there is case
and counter case due to land dispute occurrence has taken place, the
injury report of the husband of the informant Bheem Yadav is annexed

as Annexure 3, from which it reveals that injury nos. 1 and 2 have been found grievous in nature which are fractured of middle and index figures of right hand and fracture of outer main whereas injury nos. 3 and 4 which is incised wound on parietal occipital region has been found simple in nature and the petitioner is responsible for causing simple injury. The petitioner is in custody since 30.06.2016, chargesheet has already been submitted and there is in chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail

In the facts and circumstances stated above, considering the injury report and further land dispute between the parties, 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 S.D.J.M., Jamui, in connection with Jhajha P.S. Case No. 115 of 2016, subject to the conditions that one of the bailors must be 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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