

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58061 of 2015

Arising Out of PS.Case No. -136 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

1. Shatrughna Choudhary son of Sita Ram Choudhary, resident of village-
Ekmighat, P.O. & P.S.- Bahadurpur, District- Darbhanga

.. Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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

ORAL ORDER

3 18-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Bahadurpur P.S.
Case No. 136 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 325, 342, 307, 224, 225, 332, 333, 353,
504, 506, 188, 341 and 323 of the Indian Penal Code.

Allegedly, the informant and other police personnel
arrested Jeevan Kumar Baitha and Suman Kumar, in the meantime
in the leadership of petitioner several persons surrounded the
informant and other police personnel and this petitioner assaulted
with iron rod on the head of Khusbuddin which was restrained by
left hand resulting fracture in the left hand and other co-accused
assaulted others.

Submission is of false implication and that no offence

under Section 307 IPC is made out, the petitioner is suffering in custody since 16.10.2015 , no injury on the vital part of anybody has been found and as such the petitioner deserves sympathetic consideration as other co-accused Jeevan Baitha, Ram Babu Paswan and others have been allowed pre-arrest bail by another co-ordinate Benches of this Court to which learned APP opposes.

In the facts and circumstances stated above, considering the detention of the petitioner and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 136 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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