

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10078 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -BASOPATTI District- MADHUBANI

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1. Muneshwar Yadav S/o Late Heman Yadav, Resident of village-
Chhatauni, P.S.- Basopatti, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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

3 12-04-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Basopatti P.S. Case No. 40 of 2015 registered for the offences
punishable under Sections 341, 323, 324, 354, 379, 504/34 and
307 of the Indian Penal Code.

Allegedly, for demanding of Rs. 20,000/- which
was taken by the petitioner from the informant, the petitioner
became annoyed and assaulted Manisha Kumari with Dabiya
resulting she became senseless and other co-accused also
assaulted other family members and co-accused Ganga Ram
Yadav snatched gold chain from the neck of the informant.

Submission is of false implication and that there is



a case and counter case, there was no intention to commit murder and the offence under Section 307 of the Indian Penal Code is not made out as the petitioner has not repeated the blow and only one incised wound over frontal region measuring 2"x1/2"x1/2" upto bone deep on the person of Manisha Kumari was found grievous in nature, the petitioner is suffering in custody since 07.12.2015 and, as such, he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that one incised wound over frontal region measuring 2"x1/2"x1/2" upto bone deep caused by sharp weapon was found on the person of injured and this goes to show the intention of the petitioner.

In the facts and circumstances stated above, the petitioner, above named, ***shall be released on bail after completion of six months in custody*** 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 Judicial Magistrate, 1st Class, Madhubani, in connection with Basopatti P.S. Case No. 40 of 2015, 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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