

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11004 of 2016

Arising Out of PS.Case No. -192 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

=====

1. Ram Kishun Mahto S/o Late Channu Mahto resident of village -
Khadiyahi, P.S. Bibhutipur, District - Samastipur.... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bibhutipur P.S. Case No. 192 of 2015 registered for the offences punishable under Sections 341, 342, 324, 325, 307, 302/34 of the Indian Penal Code.

Allegedly, co-accused Ram Kumar and Sujay Kumar assaulted the deceased by means of iron rod and khanti causing injury near his neck and cheek and after that co-accused Ramanand Kumar and the petitioner assaulted the deceased by means of iron rod.

Submission is of false implication and that post mortem report of the deceased reveals that altogether four injuries were found on the person of the deceased. Out of aforesaid four injuries, one lacerated cut injury was found on the scalp whereas rest



injuries were found on the mandibular area, jaw and neck of the deceased. The injuries found on the mandibular area, jaw and neck are attributed to co-accused Ram Kumar and Sujay Kumar and so far injury found on the scalp of the deceased is concerned it is not specific who caused the injury and similarly situated co-accused Ramanand Kumar has been allowed bail by another co-ordinate Bench of this Court vide order dated 17.02.2016 passed in Cr. Misc. No. 7463 of 2016 and further co-accused Vikram Kumar and Jitendra Kumar have also been allowed bail.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that similarly situated co-accused Ramanand Kumar has already been allowed bail, 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 Additional Sessions Judge, Rosera, Samastipur in Sessions Trial No. 691 of 2015 arising out of Bibhutipur P.S. Case No. 192 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.

avin/-

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

(Jitendra Mohan Sharma, J)