

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18473 of 2016

Arising Out of PS.Case No. -35 Year- 2015 Thana -KATRA District- MUZAFFARPUR

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Deepak Thakur @ Deepak Kumar Thakur @ Deepak Kumar Son of Ravi
Thakur, Resident of village - Yajuar, P.S. Katra, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate

For the Opposite Party/s : Mr. Indu Kri.Srivastav, APP

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

4 28-06-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with Katra
P.S. Case No. 35 of 2015 registered for the offences punishable
under Sections 341, 323, 324, 307 and 504/34 of the Indian
Penal Code.

The allegation against the petitioner is that he gave
knife blow thrice in the stomach of Rajan Jha, the brother of the
informant and when Siristri Narayan Jha came for rescue, he
was also assaulted by the knife.

Submission is of false implication and that the

Doctor who has examined the injured has found only one injury, the opinion regarding that injury has not been given, no offence under Section 307 of the Indian Penal Code is made out, without any fault, the petitioner is suffering in custody since 16.12.2015 and he has been sufficiently penalized.

The learned A.P.P. submits that the fardbeyan of the injured has also been recorded wherein he has supported the allegation but fairly submits that the Doctor has found only one injury.

In the facts and circumstances stated above, considering the detention of the petitioner and further that charge-sheet 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 2nd Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial No. 89 of 2016 arising out of Katra P.S. Case No. 35 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.

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(Jitendra Mohan Sharma, J)