

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10737 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -BIND District- NALANDA (BIHARSHARIFF)

1. Bipin Kumar @ Tulli son of Ram Sharan Mahto, resident of Village Korari, P.S. Belchhi, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

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

The petitioner seeks bail in connection with Bind P.S. Case No. 11 of 2016 registered for the offences punishable under Sections 341, 323, 387, 504, 506/34 of the Indian Penal Code.

Allegedly, the petitioner and 2-3 unknown came at the construction site of the informant, abused and assaulted the clerk and J.C.B. driver, demanding ransom otherwise to kill them resulting other staffs, laborers engaged in construction of road, fled away.

Submission is of false implication and that due to business rivalry the petitioner has been implicated in this case, no offence under Section 387 IPC is made out, there is no allegation that the petitioner was armed with any weapon, nothing was recovered, and the petitioner is suffering in custody since

22.01.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedents.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 CJM, Nalanda at Bihar Sharif in connection with Bind P.S. Case No. 11 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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