

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31917 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -SIWAN MUFFASIL District- SIWAN

Gauri Parbat, Son of- Rama Parbat, Resident of Vill- Siyari Mathia, P.S. -
Siwan Muffasil, District-Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. S.K. Lal, Advocate
Mr. Ajay Kr. Pandey, Advocate
For the State : Mr. Matloob Rab(APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-09-2016 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner seeks bail in connection with Siwan
Muffasil P.S. Case No. 182 of 2016 registered for the offences
punishable under Sections 147, 149, 323, 324, 325 and 307 of the
Indian Penal Code and 27 of the Arms Act.

Due to election rivalry, the petitioner having iron rod
assaulted the informant with tangi on the back of the informant
causing injury to him and all other assaulted him with the weapon
having been in their hands.

Submission is of false implication and that the
petitioner is suffering in custody since 31.05.2016, the petitioner
has got two cases but both the cases have been compromised, from
bare perusal of FIR, it reveals that the allegations are false and

concocted, how the petitioner having iron rod will assault with back portion of tangi and, as such, the petitioner deserves sympathetic consideration.

The learned APP duly assisted by learned counsel for the informant opposes the prayer by submitting that the petitioner has caused grievous injury.

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 shall 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 Chief Judicial Magistrate, Siwan, in connection with Siwan Muffasil P.S. Case No.182 of 2016, subject to the conditions that one of the bailors must be near relative of the petitioner 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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