

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1848 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -BARBIGHA District- SEKHPURA

Saurav Kumar Son of Sri Rajni Ranjan Choudhary Resident of Mohalla-Faizabad, Po Barbigha, P.s Barbiha, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr. Anil Kumar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-03-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Barbigha (Mission O.P.) P.S. Case No. 343 of 2015 registered for the offences punishable under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

Allegedly when Dharmendra Yadav was returning, the petitioner and two other co-accused being armed with *Katta* came and petitioner stabbed him and snatched an amount of Rs. 55,000/- and further caused threats to kill him if case is filed.

Submission is of false implication and that there is case and counter case and the petitioner has also filed Barbigha P.S. Case No. 342 of 2015 and this case has been filed thereafter, only one incised wound has been found on the person of

Dharmendra Yadav, there is no allegation that the petitioner repeated the blow and allegation of snatching amount is super addition.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent and he has stabbed Dharmendra Yadav in his abdomen.

In the facts and circumstances stated above, considering that there is no allegation of repeating the blow and as such, considering the detention of the petitioner, now he 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 A.C.J.M., II, Sheikhpura in connection with Barbigha (Mission O.P.) P.S. Case No. 343 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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