

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5791 of 2016

Arising Out of PS.Case No. -179 Year- 2015 Thana -SONO District- JAMUI

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Arjun Rabidas Son of Late Banwari Rabidas resident of village - Aghara,
Police Station - Sono, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Sahay

For the Opposite Party/s : Mr. B.N. Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sono P.S.
Case No. 179 of 2015 registered for the offences punishable under
Sections 341, 323, 307, 504 and 337/34 of the Indian Penal Code.

Allegedly, on 20.11.2015 the petitioner along with his
two sons and wife came and then the two sons of the petitioner
caught the informant and the petitioner assaulted with wooden
Patti of cot on his head and thereafter, Arya Devi, the wife of the
petitioner assaulted with iron rod on his head resulting the
informant became injured and further started pelting stones and
bricks upon the wife and sister of the informant.

Submission is of false implication and that there was
free fight between the parties for a chicken. The witnesses in para



9 and 10 have stated in this regard and in the impugned order the same is mentioned, the informant though has received injury but there was no intention on the part of the petitioner to cause such injury rather the same was caused at the spur of the moment, the petitioner has also received injury vide annexure-4 and there is case and counter case. For the occurrence of 20.11.2015, written application was filed by the informant on 26.11.2015 without any explanation.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that wife of the petitioner has lodged the case only with a view to put pressure with false allegation.

In the facts and circumstances stated above, considering the delay in lodging the First Information Report and further considering that both parties have received injuries 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 A.C.J.M., Jamui in connection with Sono P.S. Case No. 179 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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