

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1955 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -KATIHAR District- KATIHAR

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Jitendra Singh, S/o Late Shivjee Singh, resident of Mohalla- Hardayal Chowk (Tockies) Road, P.S. Katihar (Nagar), District- Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Advocate
Mr. Ranjeet Kumr, Advocate

For the Opposite Party : Mr. Matloob Rab, APP-34

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-01-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Katihar (Town) P.S Case No. 118 of 2016 registered for the offences punishable under Sections 341, 323, 324, 307, 326/34 of the Indian Penal Code.

Allegedly, the petitioner and co-accused Budhil Paswan started abusing and assaulted the informant and on protest further assaulted with razor several times causing injury on his neck, head and face.

Submission is of false implication and that the informant has filed petition before the Superintendent of Police, Katihar that Budhil Paswan and Santosh Kumar Sah have caused the occurrence and not the petitioner and accordingly compromise petition has also been filed by the informant showing innocence of petitioner in the Court of C.J.M., Katihar and, the



petitioner is suffering in custody since 03.11.2016. As per F.I.R. there is no specific allegation against the petitioner and as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that from perusal of impugned order it reveals that the informant has received grievous injury as dangerous to life but the informant is retracting from his earlier version and now making allegation against other co-accused.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Katihar (Town) P.S. Case No. 118 of 2016, 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.

(Jitendra Mohan Sharma, J)

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