

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15760 of 2017

Arising Out of PS.Case No. -49 Year- 2016 Thana -SARSI District- PURNIA

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1. Pintu Kumar, Son of Sri Yogendra Yadav, resident of village - Bahora
Fatak, P.S. Sarsi, District – Purnea Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 28-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sarsi P.S.
Case No. 49 of 2016 registered for the offences punishable under
Sections 341, 323, 324 and 326 of the Indian Penal Code.

Allegedly, the petitioner forcibly brought the
informant, Gautam Kumar and forced him to put maize bags into
thresher and when the bag of maize fell down, the petitioner
assaulted him with iron *Patti* causing cut injury in right hand of
the informant resulting, he fell down and became un-conscious
and for treatment he was brought at medical college, Katihar.

Submission is of false implication and that the
informant was playing near thresher of the petitioner and he fell
down and he received injury and then the petitioner brought him at
Medical College, Katihar. Occurrence is of 06.06.2016 but



fardbeyan has been recorded on 21.6.2016 after much delay. There is no explanation of delay. The petitioner has been implicated falsely and, as such, he deserves sympathetic consideration as he is suffering in custody since 14.12.2016.

The learned A.P.P. submits that chargesheet has already been submitted.

In the facts and circumstances stated above, considering that there is no chance of tampering with prosecution evidence and, as such, the petitioner 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 Judicial Magistrate, 1st Class, Purnea in connection with Sarsi P.S. Case No. 49 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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