

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18149 of 2017

Arising Out of PS.Case No. -39 Year- 2016 Thana -KARJAIN District- SUPAUL

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1. Md. Kalam son of Noor Mohammad
2. Md. Gyasuddin son of Md. Ibrahim Both residents of village - Gospur
(Harichakla), P.S. - Karjain, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-05-2017 Heard the parties.

The petitioners seek regular bail in connection with Karjain P.S.Case No.39 of 2016 registered for offences punishable under Sections 147, 148, 149, 332, 333, 324, 307, 353, 427, 504, 120B and 506 of the Indian Penal Code.

Allegation against the petitioner is of assault to one Suresh Singh along with other co-accused persons.

It is submitted on behalf of the petitioners that the petitioner has been falsely implicated in this case due to dispute in the election of Mukhiya and the allegation against the petitioner and two other accused persons is of assault by 'Farsa' on head, however, the injury report does not show any injury of 'Farsa' though the opinion on the injury has been kept reserved. The



petitioner is in custody for about three months.

Heard learned A.P.P. also, who could not controvert the above facts.

Having heard both sides and in view of the facts and circumstances, as stated above, as well as the fact that there is no sharp cut injury on the injured, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Pandey, J.M., Birpur, District-Supaul in connection with Karjain P.S.Case No.39 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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