

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21323 of 2017

Arising Out of PS.Case No. -102 Year- 2016 Thana -NAVHATTA District- SASARAM (ROHTAS)

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1. Nakku Yadav son of Late Sewak Yadav resident of Village - Purnadih (Jayantipur), P.S. - Nauhatta, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate

For the Opposite Party/s : Smt. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 05.02.2017 in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code and 3/4 of Witch Craft Practices Act.

The prosecution case as lodged by the informant is that due to some dispute between his wife and the petitioner's wife, the petitioner had assaulted his wife by spade blow and along with other co-accused has assaulted his family members with lathi and danda.

It has been submitted by the learned counsel for the petitioner that he is innocent and has a clean antecedent. The



allegation upon him is of administering a single blow. He further submits that charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the injury on the informant's wife have been found to be grievous in nature, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Nauhatta P.S.Case No. 102 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner and the petitioner will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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