

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22470 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -MEHDIGANJ District- PATNA

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1. Pankaj @ Pankaj Kumar @ Pankaj Kewat Son of Baijnt Prasad @ Baijnath Kewat, R/o Mohalla- Daldaliganj (Deepnagar), P.S.- Mehndiganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 29-05-2017 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Mehndiganj P.S. Case No. 05 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 385, 504 and 506 of the Indian Penal Code.

Allegedly, the petitioner assaulted the brother of the informant namely, Uday Shankar Prasad and his father Moti Lal.

Submission is of false implication and that occurrence took place due to some previous enmity. Petitioner along with other persons has intervened into the scuffle to settle the dispute. From the injury report it appears that Uday Shankar Prasad, brother of the informant, received only one injury, caused by hard



blunt object, is simple in nature. Moti Lal, father of the informant also received simple abrasion upon his person. As per the prosecution story several persons have assaulted the informant but the injury report speaks otherwise. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. Petitioner is suffering in custody in 18.01.2017, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, 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 S.D.J.M., Patna City, Patna in connection with Mehndiganj P.S. Case No. 05 of 2017 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.

(S. Kumar, J)

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