

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39944 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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Dhatal Singh @ Dhatalu Singh @ Jugeshwar Singh son of Gajju Singh,
resident of Village- Panapur Bateshwar Nath, Police Station- Jandaha,
District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Jandaha P.S.
Case No. 39 of 2017 for offences punishable under Sections 341,
323, 324, 307, 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was at his house the petitioner came and assaulted
his father Ramawatar Singh on the head by means of lathi.
Thereafter the petitioner along with seven others came variously
armed with sword, farsa, iron rod and knife and started assaulting
the family members. Specific allegation on Ajay Kumar is of
assaulting Nishant Kumar on his abdomen by means of knife who
succumbed to the injury whereas all the accused persons including



the petitioner also assaulted the two brothers of the informant and other family members.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and that injury on the father of the informant has been found to be simple in nature. He submits that allegation of assault on other family members of the informant are general and omnibus, charge-sheet has been submitted and the petitioner is languishing in judicial custody since 07.04.2017.

However, learned counsel for the informant vehemently opposes the prayer for bail stating therein that the petitioner along with other co-accused have assaulted the other family members and those injuries have been found to be grievous. He submits that there is specific allegation against the petitioner of assaulting the father of the informant.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Vaishali at Hajipur in



connection with Jandaha P.S. Case No. 39 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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