

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43272 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -HASANPUR District- SAMASTIPUR

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Pappu Das, Son of Late Sri Krishna Das, resident of Village Hasanpur,
Police Station- Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Smt. Reena Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The Petitioner seeks regular bail in connection with
Hasanpur P.S. Case No. 60 of 2017 for offences alleged under
Sections 147,148,323,324,354,379,307 and 504 of the Indian
Penal Code.

The prosecution case, as lodged by the informant is that
while her husband was at his shop the petitioner along with four
other accused persons armed with lathi and knife assaulted her
husband and when she came to rescue him was also assaulted and
a gold chain and earring was taken away by the accused persons.

It has been submitted by the learned counsel for the
petitioner that he is innocent and for the same incident another



case was lodged at Hasanpur P.S. Case No. 61 of 2017 in which the petitioner has already been enlarged on bail by the coordinate Bench of this court. He submits that both the parties were neighbour and on inimical terms for which the petitioner side has lodged FIR at Hasanpur P.S. Case No. 106 of 2014 of assault on the petitioners' side. He submits that the injuries on informant and her husband have been found to be simple in nature and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State 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 A.C.J.M.- III, Rosera at Samastipur in connection with Hasanpur P.S. Case No. 60 of 2017, subject to the following conditions-

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his 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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