

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41245 of 2017

Arising Out of PS.Case No. -239 Year- 2017 Thana -ARA NAWADA District- BHOJPUR

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1. Subodh Kumar Upadhyay @ Subodh Kant Upadhyay @ Guddu Son of
Ram Ekbal Upadhyay, Resident of Village- Jagdeo Nagar Ara, P.S. Ara
Nawada, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Pathak
For the Opposite Party/s : Mr. Anil Kumar
For informant : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-10-2017 The petitioner seeks regular bail in connection with Ara

Nawada P.S. Case No. 239 of 2017, registered for offences

punishable under Sections 341, 342, 323, 308, 504, 379 and 506 of

the Indian Penal Code.

Petitioner is son of the informant and allegation against
him is of assaulting his own mother (wife of the informant)

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case out of family
dispute as he happens to be son informant. Moreover, he has
sufficiently been punished for the said offence as he has been in
judicial custody for last three and half months and is now ready to
abide by any condition imposed on him for grant of bail.



Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara, in connection with Ara Nawada P.S. Case No. 239 of 2017, subject to the 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 cooperate 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.

It is also made clear that petitioner shall not harass the informant and his wife in any manner otherwise prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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