

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51072 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -SHAMBHUGANJ District- BANKA

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1. RITESH KUMAR @ BICHHU KUMAR @ RITESH KUMAR SINGH
S/o Late Vivekanand Singh Resident of village- Pakariya, P.S.-
Shmbhuganj, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sambhuganj P.S.Case No.28 of 2017 registered for offences punishable under Sections 341, 323,324, 325, 307 and 379 of the Indian Penal Code.

Allegation against the petitioner is of causing repeated blow by sword by the nephew of the informant, causing injury to him.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case. As a matter of fact the informant and others had dispute with regard to fish pond of the informant and for implicating the petitioner they have taken away the fish from the pond and even the injuries found on the person is simple in nature. No doubt there is repeated blow.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground of repeated blow and the petitioner has no



criminal antecedent.

Having heard both sides and in view of the fact that the petitioner has no criminal antecedent and all the injuries are simple in nature, as alleged, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Banka in connection with Sambhuganj P.S.Case No.28 of 2017.

With 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 co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.
- (iv) However before accepting the bail bonds of the petitioner, the learned court below will verify the submissions regarding injury being simple in nature and if it is found to be false, he will inform this Court.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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