

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56261 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -BARHAT District- JAMUI

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1. Mithilesh Pandey, S/o Shanti Sharan Pandey, resident of Village-
Guguldh, P.S.- Barhat, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 09.10.2017 in
connection with Barhat P.S. Case No. 69/17 for offences
punishable under Section 307 and other allied Sections of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was going for his work nine persons assaulted him.
Specific allegation upon the petitioner is that he hit the informant
on his ears by iron rod.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in the



aforesaid case. He submits that the injury report does not specify any injury on the ear, both parties are agnates and are on inimical terms and petitioner has been falsely implicated in two cases earlier by the informant's side.

However, learned counsel appearing for the informant submits that the petitioner does not has a clean antecedent and as many as three cases are pending against him and that some of the injuries have been found to be grievous in nature as per the injury report, hence, opposes the prayer for bail.

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 Chief Judicial Magistrate, Jamui, in connection with Barhat P.S. Case No. 69/17, subject to the conditions that

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the



petitioner.

- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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