

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47490 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -SANJHAULI District- SASARAM (ROHTAS)

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1. Sri Paswan @ Sri Nath Paswan Son of Late Master Paswan Resident of
Village-Sanjhauli P.S.- Sanjhauli Dist-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-01-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Sanjhauli PS case no. 63 of 2016 for the offence under
Sections 307 and other sections of the Indian Penal Code.

It is submitted on behalf of petitioner that though
allegation against the petitioner is that he has assaulted the
informant but for that, petitioner is in custody for about five
months. It is further submitted that even the injury report does not
show that there are any grievous injury and now charge sheet has
already been submitted in this case. It is further submitted that
there is case and counter case between the parties and occurrence
took place due to the fact that informant tried to construct toilet on



the land of petitioner.

Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail and stated that allegation against the petitioner is that he had made repeated blows on the person of informant, due to which, he sustained several injuries.

Having heard both sides. It appears that in this case, case diary has been received and petitioner is in custody for about five months. It further appears that though charge sheet has been submitted but no authentic information about the injury of the informant is available on record and apart from this, case and counter case is pending between the parties. As such, the bail application of petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of S.J. I -cum-ACJM, Bikramganj, Rohtas in connection with Sanjhauli PS case no. 63 of 2016 with a condition that bailors should have the property within the jurisdiction of learned court below and with further condition that he will cooperate in the disposal of the case and his failure to attend the court on two consecutive dates without showing any genuine reason, shall make him liable for cancellation of his bail bonds with further condition that if any material showing grievous injury



on the person of informant is brought on the record lateron, the prosecution is free to move for cancellation of bail bonds of the petitioner. genuine

(Vinod Kumar Sinha, J)

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