

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49268 of 2016

Arising Out of PS.Case No. -160 Year- 2016 Thana -RAJAULI District- NAWADA

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Shakaldeo @ Shakaldeo Yadav Son of Shivalak Yadav Resident of Village-
Akamba, Police Station- Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-03-2017 Heard the parties.

This application has been filed in connection with Rajauli
P.S. Case No.160 of 2016 for the offence under Sections 341, 323,
326, 307, 506/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is case
and counter case between the parties and even the F.I.R. shows
that there is general and omnibus allegation against the petitioner
and the injuries are on the informant and other persons. The
charge-sheet has been submitted in this case and the injury of
Bhola Prasad is only mentioned in the case diary, which is simple
in nature. The petitioner is in custody since 11.7.2016.

Heard learned A.P.P. also, who could not controvert the
above facts.

Having heard both sides. In view of the fact that there is a



case and counter case between the parties and only the injury of only Bhola Prasad has been mentioned in the case diary due to hard and bunt substance and it is simple in nature. There is no injury report available in the case diary. The charge-sheet has been submitted and the petitioner is in custody for more than seven months.

Considering the above facts, 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 C.J.M., Nawada in connection with Rajauli P.S.Case No.160 of 2016.

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 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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