

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47507 of 2016

Arising Out of PS.Case No. -164 Year- 2014 Thana -PIRPAINTI District- BHAGALPUR

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1. Madan Pathak, son of Late Dharendra Pathak, resident of Village-Salempur, P.S. Pirpainti, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 14-02-2017 The petitioner is in custody since 20.07.2016 in connection with Pirpainty P.S. Case No. 164 of 2014, registered for offences punishable under Sections 147, 448, 342, 341, 323, 307, 504 and 354 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that allegation against the petitioner is that he assaulted the informant on his head by iron rod, however the injury report available in the case diary shows that the x-ray was never conducted to find out the nature of injury and he has been languishing in judicial custody since 20.07.2016.

Heard learned A.P.P. also.

Having heard both sides, as opinion about the injury no. 1, which was inflicted on the head of the informant, is not available on record and the petitioner has remained in custody for more than six and half months, 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 ACJM-XI, Bhagalpur, in connection with Pirpainty P.S. Case No. 164 of 2014, 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.

(Vinod Kumar Sinha, J)

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