

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1868 of 2017

Arising Out of PS.Case No. -35 Year- 2016 Thana -DARAUNDHA District- SIWAN

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Manoj Thakur, Son of Permanand Thakur, resident of Chanchaura, Police
Station- Rashulpur, District- Saran at Chapra. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Daraunda
P.S. Case No. 35 of 2016 registered for the offences punishable
under Sections 341, 323, 324, 379, 447/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other co-accused came at
the shop of the informant, demanded wine but did not pay the
price and when the price was demanded co-accused Arundh Patel
took out pistol and opened firing and the petitioner gave knife
blow twice causing cut injury on the chick and left hand and when
Ashok Prasad came for rescue, he was also assaulted and further
cash of Rs. 85,000/- was taken away by the petitioner and Arundh
Patel and again took away 20 bottles of wine and further snatched
the mobile and purse containing one thousand rupees.



Submission is of false implication and that the injuries found on the person of the informant are simple in nature which is evident from the impugned order itself. Co-accused Arundh Patel has been allowed bail by the court below itself vide B.P. No. 1445 of 2015 and the petitioner is suffering in custody since 29.11.2016 and the allegation under Section 379 IPC is supper addition.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 35 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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