

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17526 of 2017

Arising Out of PS.Case No. -184 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Lakshmi Kumar Son of Vishwanath Thakur, resident of village - Sundarpur
Haraiya, P.S. Haraiya (Raxaul), District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr. Panchanand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 25-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
25.08.2016 in connection with Sessions Trial No. 190 of 2017
arising out of Raxaul P.S. Case No. 184 of 2016 registered for the
offence punishable under Sections 341, 324 and 307 of the Indian
Penal Code.

The prosecution case is, as lodged by the informant, is
that while he was taking bath near his house, petitioner inflicted
knife blow on him, as a result, he was seriously injured.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case as both parties are on inimical terms. He further submits that the injuries, which have been found on the body of the informant, are not on the vital part of the body and that charge-sheet has already been submitted, charges have been framed and the matter is pending for evidence. A report in this connection was called for from the learned Court of Additional Sessions Judge-XIII, East Champaran at Motihari, which has been received by letter No. 122 dated 31.07.2017 stating therein that summons have been issued to the witnesses and matter is fixed for evidence and service report. Under such circumstances, learned counsel for the petitioner submits that none of the witnesses has been examined and he is in custody for one year.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 13th Additional District and Sessions Judge, East Champaran at Motihari in connection with Sessions Trial No. 190



of 2017 arising out of Raxaul P.S. Case No. 184 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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