

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7979 of 2017

Arising Out of PS.Case No. -191 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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Ram Suphal Yadav, S/o Late Siya Ram Yadav, Resident of village -
Ahiyari, Rahi Tol, P.S. Kamtaul, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Informant : Mr. vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 Heard the parties.

This application has been filed in connection with Kamtaul
P.S.Case No.191 of 2016 for the offence under Sections 147, 148,
149, 341, 323, 324, 325, 379, 307 and 504 of the Indian Penal
Code.

It is submitted on behalf of the petitioner that there is a case
and counter case between the parties and as a matter of fact earlier
to this case, the petitioner had filed a case under Section 354 and
other Sections of the Indian Penal Code against the informant, as
such the dispute arose between the parties. It is further submitted
that the allegation against the petitioner is that he has assaulted
with 'Farsa' on the head of the injured but the impugned order
itself shows that the injuries are simple in nature and the petitioner
is in custody for more than two months.



Heard learned A.P.P. and the learned counsel for the informant. The learned counsel for the informant could not controvert the fact that the injuries are simple in nature and there are case and counter case between the parties.

Having heard both sides. In view of the fact that there is a case and counter case between the parties and the injuries are simple in nature, 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. Darbhanga in connection with Kamtaul P.S.Case No.191 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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