

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 9071 of 2017

Arising Out of PS.Case No. -85 Year- 2016 Thana -KARJA District- MUZAFFARPUR

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1. Deepak Kumar, Son of Anjani Kumar, Resident of Village:-
Chakbarkura, Police Station- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tripurari Sharan, Advocate

For the Opposite Party/s : Mr. Shyam Kr. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-03-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 325, 326, 307,
302, 504 and 506/34 of the Indian Penal Code.

According to FIR, three persons including the
petitioner assaulted to Shiv Chandra Chaudhary @ Gopal
Chaudhary with the back portion of the *Kudal* (spade) causing
injury at his head.

The Doctor has found two head injuries on
external examination.

Submission of the petitioner is that the allegation
is general and omnibus and it is not specific as to who out of three



had caused two injuries to the deceased Shiv Chandra Chaudhary. There is no eye-witness who has supported as to who had caused injury to Shiv Chandra Chaudhary.

Learned counsel for the informant opposed the prayer for bail.

However, perusal of the case diary does not reveal that any eye-witness has named the petitioner specifically as assailant who had caused head injury to Shiv Chandra Chaudhary.

Considering the aforesaid facts, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial (West), Muzaffarpur/successor Court in connection with Karja Police Station Case No. 85 of 2016, subject to the condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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