

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5752 of 2017

Arising Out of PS.Case No. -219 Year- 2016 Thana -MANIGACHI District- DARBHANGA

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Ajay Yadav @ Ajay Kumar Yadav S/o Surendra Yadav Resident of
Village- Devipur Phulban, P.S. Manigachi, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kalikant Jha
For the State : Mr. B.Ram
For the Informant : Mr. gagandeo Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-03-2017 Heard the parties.

This application has been filed in connection with Manigachi P.S.Case No.219 of 2016 dated 28.11.2016 (G.r.Case3 No.3857 of 2016) for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 & 506 of the Indian Penal Code.

It is submitted on behalf of the petitioner that against the petitioner there is allegation of assault by 'Lathi' on the head of the informant and his mother but the injuries are simple in nature and the petitioner is in custody since 5.12.2016.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the report clearly shows that the injuries are on the sculp of the informant and opinion of the Doctor is still reserved. It is further submitted that the petitioner is accused in four other cases also.



Having heard both sides and in view of the fact that there is a case and counter case between the parties and the report, which is part of the case, clearly shows that the injuries are simple in nature. No doubt the petitioner is accused in four other cases also, the report shows that the injuries are simple in nature and the petitioner is in custody for about four months, 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 A.C.J.M.-III, Darbhanga in connection with Manigachi P.S.Case No.219 of 2016 dated 28.11.2016 (G.R.Case No. 3857 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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