

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33587 of 2017

Arising Out of PS.Case No. -267 Year- 2015 Thana -KHAIRA District- JAMUI

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1. Dhobi Ravidas @ Dhobi Rabidas Son of late Shibu Ravidas @ Ritu Ravidas Resident of Village-Bishanpur P.s. Khaira District jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar Sinha-3, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

This is the second round of litigation by which earlier bail application of the petitioner was rejected vide order dated 14.12.2016 passed in Cr. Misc. No. 44984/2016.

The petitioner is languishing in judicial custody since 27.06.2016 in connection with Khaira P.S.Case No. 267 of 2015 registered for offences punishable under Sections 448, 324 and 307/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that when he was sleeping in his house, accused persons namely, Mahendra Rabidas and Tulo Rabidas jumped from wall and entered in his house with intention to kill the informant and



assaulted with knife, causing cutting of fingers of left hand of the informant was cut and in the mean time when the wife of the informant came to save her husband, other co-accused person, namely Prakash and Dhobi Rabidas (petitioner) stabbed knife in her abdomen with intention to kill her, as a result, his wife fell down on the ground and when the informant cried, accused persons fled away .

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the case. It is further submitted that witnesses have not supported the prosecution case and both sides are on inimical terms with each other for which earlier case was lodged by the petitioner's side against the informant. He submits that charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However learned A.P.P. for the State opposes the prayer for bail stating therein that the wife of the informant was seriously injured.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in



connection with Khaira P.S.Case No. 267 of 2015, subject to the conditions that one of the bailors would be a close relative of the petitioner and the petitioner will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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