

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55775 of 2016

Arising Out of PS.Case No. -135 Year- 2016 Thana -KADWA District- KATIHAR

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Bidyanand Mandal. Son of Madai Mandal resident of Village- Dilalpur, P.S.
Baliya Belon, District- Katihar. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kadwa (Baliya Belon) P.S. Case No. 135 of 2016 registered for the offences punishable under Sections 323, 341, 379, 354 and 377 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused assaulted the daughter of the informant and further the petitioner pierced the maize wood in buttock and further caused threats to pierced lathi.

Submission is of false implication and that the occurrence is of 31.05.2016 but complaint case has been lodged on 10.06.2016, the injury report is dated 12.07.2016, the victim is own cousin sister, due to land dispute the petitioner and others have been implicated, the petitioner is in custody since 14.11.2016 and as such he deserves sympathetic consideration.



Learned APP opposes the prayer of bail by submitting that on the date of occurrence itself the victim was examined by the doctor and the injury has been found on her private part.

In the facts and circumstances stated above, the petitioner **shall be released on bail after completion of four months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV I/C, Katihar in connection with Kadwa (Baliya Belon) P.S. Case No. 135 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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