

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40941 of 2017

Arising Out of PS.Case No. -41 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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1. Shyam Sunder Singh Son f Late Adhiklal Singh, Resident of Village-Dharampur, P.S. Shambhuganj, District-Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Shambhuganj P.S. Case No.41 of 2016, registered for offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

Allegation against the petitioner is of assault by *Garasa* on the head causing injury on the neck.

Submission of learned counsel for the petitioner is that there was altercation with respect to grazing by she-goat and in that altercation it is said that petitioner has assaulted by *Garasa* but injury on the person of the injured is of hard and blunt substance and petitioner is in custody for three months.

Heard learned A.P.P. also and he opposes the prayer



for bail on the ground that injury is grievous in nature.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Banka in connection with Shambhuganj P.S. Case No.41 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 disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J.)

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