

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2189 of 2017

Arising Out of PS.Case No. -517 Year- 2016 Thana -NAWADA District- NAWADA

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Jagdish Chauhan Son of Late Nirpat Chauhan Resident of Village :
Shajpura, Tola : Mubarakpur, P.S. Nawada (Kadirganj), District : Nawada.

... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Sri Bharat Lal

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

ORAL ORDER

2 30-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Nagar
(Kadirganj) P.S. Case No. 517 of 2016 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302,
504, 506 of the Indian Penal Code.

On behalf of the petitioner it is submitted that though the
petitioner is named in the first information report but there is no
specific allegation against him. Specific allegation to have
assaulted the deceased is against Raj Kumar Chauhan and Rajesh
Kumar, the petitioner is not the assailant and without any fault due
to land dispute he is suffering in custody since 10.09.2016 having
no criminal antecedent.

Learned APP duly assisted by learned counsel for the



informant opposes the prayer of bail by submitting that the petitioner being the member of mob and to have assaulted by lathi and danda does not deserve bail. The deceased Sumitra Devi received six injuries.

In the facts and circumstances stated above, considering that against the petitioner there is no specific allegation, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail 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 Chief Judicial Magistrate, Nawada in connection with Nagar (Kadirganj) P.S. Case No. 517 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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