

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36415 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -WARISNAGAR District- SAMASTIPUR

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Umesh Rai Son of Late Shibu Rai, R/o Village- Chandauli, P.S.-
Warisnagar, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 03-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.04.2017 in connection with Warisnagar P.S. Case No. 57 of
2017 for offences punishable under Sections 147, 148, 149, 447,
341, 323, 324, 307, 354 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was in his field the petitioner along with four
named accused and five others came variously armed with spade,
Tengari and Katta assaulted the informant's side. The allegation



upon the petitioner is that he assaulted Ramdeo Roy and was also the order giver.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the dispute arose out of property matter and for the same incident the petitioner has also lodged the complaint case before the learned C.J.M., Samastipur bearing C.R. No. 381 of 2017. He submits that the injury found on the informant Ramdeo Roy and Muni Devi have been assessed as simple in nature and that charge sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case No. 57 of 2017, subject to the condition that



one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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