

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27950 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Gopi Das Son of Late Laldeo Das, Resident of Village- Chainpur Nanhakar, P.S.- Desari, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case instituted for the offences punishable under Sections 147, 148, 149, 443, 341, 342, 302, 323, 324, 325 and 307 of the Indian Penal Code.

The prosecution case as lodged by the informant is that eight persons including the petitioner assaulted the family members and his deceased father by means of lathi, phatta etc. as a result of which his father has died in course of treatment.

It has been submitted by the learned counsel for the petitioner that he is innocent and general and omnibus allegation has been levelled against him. He submits that there was a land dispute and previous enmity between the parties for which the petitioner's side also received injury and Desari P. S. Case No. 82 of 2016 was lodged by the petitioner's side against the informant



side. It is further submitted that some accused have been granted privilege of bail by Co-ordinate Benches of this Court in Cr. Misc. No. 46955 of 2016 dated 08.12.2016, Cr. Misc. No. 48094 of 2016 dated 08.12.2016 and Cr. Misc. No. 3597 of 2017 dated 20.02.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

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, Vaishali at Hajipur in connection with Desari (Chandpura O.P.) P. S. Case No. 81 of 2016, subject to the condition 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.

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(Nilu Agrawal, J)

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