

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.836 of 2017

Arising Out of PS.Case No. -285 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

=====

1. Kamendra Singh Son of Surith Singh Resident of Village- Majhiyaon,
P.S.- Charpokhari, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-02-2017 This case has been listed under the heading “To Be
Mentioned” at the instance of learned counsel for the petitioner.

It is submitted by learned counsel for the petitioner that
vide order dated 02.02.2017 the petitioner was granted regular bail
by this Court, but inadvertently in the said order, conditions of
anticipatory bail has been recorded.

Under the circumstances, order dated 02.02.2017 is
rescinded and the same be read as under :-

Heard the parties.

This application is for grant of regular bail in connection
with Charpokhary P.S.Case No.285 of 2015 for the offence under



Sections 341, 323, 324, 504, 506 and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that as per the F.I.R., he is only order-giver and there is no allegation against the petitioner of assault on the deceased rather there is allegation of assault on the wife of the informant and admittedly, there is a large number of disputes going on between the parties and land disputes also. Further the petitioner is in custody for about three months.

Heard learned A.P.P. also, who has opposed the prayer for bail of the petitioner on the ground that there are allegation against the petitioner also of assault not only upon the deceased but other injured also.

Having heard both sides. In view of the fact that there is no allegation against the petitioner of assault to the deceased rather to the wife of the informant and further the police after investigation has not found the case true but the learned Magistrate, after investigation differing with the police, has taken cognizance against the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Bhojpur at Ara, in connection with Charpokhy P.S. Case No. 285 of 2015, with the



condition that the petitioner will not induce any witness or tamper with the evidence.

With the following observation, this application is allowed.

Let this order be communicated to the court concerned at once.

(Vinod Kumar Sinha, J)

sunil/-

U			
---	--	--	--

