

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41743 of 2017

Arising Out of PS.Case No. -67 Year- 2017 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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Mahendra Sada Son of Late Lakhan Sada, R/o Village- Sahit Brindaban
Mushahari, P.S.- Vidyapatinagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha
For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
31.05.2017 in connection with Vidyapatinagar P.S. Case No. 67 of
2017 for offences punishable under Sections 147, 148, 149, 341,
323, 307 and 504 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while his son along with some friends had gone to take meal
in the market, the petitioner along with five others and 25
unknown persons had beaten him by means of Danda.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and general



and omnibus allegation has been levelled against the petitioner and other five named accused and 25 unnamed persons assaulting the informant's son who was used to teasing the women and girls in the market with some filthy songs. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. It has further been submitted that although 30-31 persons have assaulted the informant's son but there is only one injury found as per the injury report.

However, learned APP for the State opposes the prayer for bail stating therein that the injury is on the vital part of the body and has opined to be grievous in nature in the medical report.

Considering the facts and circumstances and the materials on record since the allegations are general and omnibus against large number of persons, 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 Additional Chief Judicial Magistrate-III, Dalsingsarai in connection with Vidyapatnagar P.S. Case No. 67 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of



the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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