

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27493 of 2017

Arising Out of PS.Case No. -96 Year- 2017 Thana -WARSALIGANJ District- NAWADA

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Bindeshwari Singh, S/o Late Dukhi Singh, R/o Vill Simri Dih, P.S.-
Warsaliganj, Distt.- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioner is languishing in judicial custody since
14.05.2017 in connection with Warsaliganj P.S. Case No. 96 of
2017 registered for the offence punishable under Sections 341,
323, 324 and 307/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had gone to attend the marriage ceremony in the
house of co-villager, petitioner along with two others variously
armed with rod, lathi and dagger came and accused Jitendra Singh
gave a dagger blow on his abdomen. Petitioner hit on the head of
the informant with rod and when his family members came to save



him, they were also assaulted with lathi. Occurrence was due to panchayat election of the year 2017.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He further submits that the injury on the head has been found to be simple in nature and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned counsel for the informant and the learned A.P.P. for the State submit that all the accused persons with common intention to kill the informant has assaulted him brutally and for the assault on the abdomen, he had undergone surgery and was admitted in PMCH for a long period of time. He submits that considering the nature of injury and intention of the petitioner and other co-accused, he is not fit to be enlarged on bail, hence, oppose the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Nawada in connection with Warsaliganj P.S. Case No. 96 of 2017



after four months from today (27.07.2017), subject to the condition that both the bailors would be close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J.)

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