

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40440 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

=====

1. Gopal Singh, Son of Late Nand Kishor Singh, Resident of Village-
Modhopur Nighma, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Abhishek Singh Mr. Sudhanshu Trivedi Mr. Neeraj Kumar
For the informant	:	Mr. Rakesh Kumar
For the State	:	Mr. Bharat Lal

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 27-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in custody since 19.06.2017 in
connection with Mahua P.S. Case No. 90 of 2017 for offences
punishable under Section 307 and other allied Sections of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that petitioner along with his wife and one another came and
started abusing and threatened the informant. Allegation upon the
petitioner is of giving farsa blow on the informant. The cause of
dispute is land dispute for which both parties were on inimical
terms.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and the matter relates to civil dispute. He submits that the injury report specifies injury to be simple in nature caused by hard blunt substance and even the latest injury report of the PMCH shows that all parameters are normal. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned counsel appearing for the informant and learned APP for the State vehemently oppose the prayer for bail stating therein that the petitioner gave farsa blow on the head of the informant, which is a vital part of the body.

Considering the facts and circumstances and the materials on record as well as perusal of the injury report, 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, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 90 of 2017, subject to the conditions that :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating their relationship with the petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

