

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60096 of 2017

Arising Out of PS.Case No. -83 Year- 2017 Thana -MASRAKH District- SARAN

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Ajay Sah @ Ajay Kumar, son of Vishwanath Sah, resident of Village-
Chandkudariya, P.S.- Mashrak, District- Saran, Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 23.09.2017 in connection with Mashrak P.S. Case No. 83 of 2017 for the alleged offences under Sections 341, 323, 504, 307, 302/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the accusations of assault with *fattha* on the head of the deceased, Kameshwar Pandit is upon co-accused Raghunath Sah. The petitioner is not alleged to have assaulted the deceased, on whose head only one injury was found in the post mortem report. The petitioner is alleged to have assaulted the informant with *fattha* on his head, but the injury report discloses only simple injury. The present case is a counter blast to Complaint Case No. 1032 of 2017 filed by the accused persons against the informant's side. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. VIII, Saran at Chapra in connection with Mashrak P.S. Case No. 83 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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