

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58256 of 2018

Arising Out of PS.Case No. -141 Year- 2018 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Raushan Kumar Son of Umesh Singh, resident of Village- Vishunpur,
Chak Pahar, Police Station- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sahebganj P.S. Case No.141 of 2018 registered for the offences
punishable under Sections 341, 323, 324, 326, 307, 504, 506 and
34 of the Indian Penal Code.

As per F.I.R., this petitioner and four other accused
persons intercepted the informant and assaulted him. The
allegation against this petitioner is that he assaulted the brother of
informant by means of *Barchi* on his chest.

It has been submitted that for the occurrence, there is
also a counter case bearing Sahebganj P.S. Case No.276 of 2018.
The injury report annexed with the bail application shows that the
injured sustained injury on his chest was caused by hard and



pointed substance. Both parties are residents of same village and the alleged occurrence took place on account of land dispute. The petitioner is in custody since 17.06.2018 having clean antecedent and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 Sub Judge- cum-1st A.C.J.M. (West), Muzaffarpur in connection with Sahebganj P.S. Case No.141 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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