

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70611 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- BYPASS District- Patna

Umesh Paswan Son of Late Jethan Paswan Resident of Mohalla-Karmalichak,
Bahri Dhawalpura,P.S. Byepass, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma
For the Opposite Party/s : Mr.Sri Amrendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 21-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Byepass P.S. Case No. 68 of
2018 registered for the offence punishable under Sections 457,
354, 354(b), 324, 326 and 307 of the Indian Penal Code.

Informant has alleged that on 04.03.2018 while the
informant and his family members were sleeping in their house,
the petitioner entered in his house and caught the hand of his
wife and when she raised the alarm, the petitioner assaulted him
by knife. Thereafter, when his brothers came to rescue her, the
petitioner gave a knife blow on their stomach as a result of
which they were injured.

It has been submitted on behalf of the petitioner that he
is innocent and has falsely been implicated in this case. It has
further been submitted that petitioner and the informant's side



are agnates and due to partition dispute, the petitioner went to demand his share from the informant but in place of giving him money, they assaulted the petitioner badly and in order to save him, he gave knife blow upon the informant's side. The petitioner was also admitted to Nalanda Medical College and Hospital. Petitioner has no criminal antecedent and he is in custody since 07.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ACJM IV, Patna City in connection with Bye Pass P.S. Case No. 68 of 2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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