

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.68933 of 2018

Arising Out of PS. Case No.-676 Year-2018 Thana- BETTIAH CITY District- West Champaran

Rajendra Singh Son of Late Shivjee Singh, Resident of Village-Ganj No.2, Ghasiyar, Ward No.8, Police Station-Bettiah Town, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Informant.

The petitioner, who is in custody, seeks bail in connection with Bettiah Town P.S. Case No. 676 of 2018 registered for the offence punishable under Sections 341, 323, 325, 307, 504, 34 of the Indian Penal Code.

Informant has alleged that on 02.08.2018 at about 7:00 AM she was going to College then her neighbour Gopi Singh as named in the FIR started abusing her and both including petitioner caught and assaulted her. Raju thereafter came with 20-25 unidentified youths and other family members also came and started abusing and assaulting her by iron rod. Specific allegation of assaulting by iron rod is against Raju. There is no specific allegation of assault against petitioner. There is general and omnibus allegation. It has been further submitted that petitioner has been falsely implicated in this case



due to land dispute. Petitioner has no criminal antecedent and he is in custody since 30.08.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate 1st, Bettiah, West Champaran, in connection with Bettiah Town P.S. Case No. 676 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

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