

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19261 of 2018

Arising Out of PS.Case No. -232 Year- 2017 Thana -BELDAUR District- KHAGARIA

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Jaykant Sharma S/o Late Paro Sharma, R/o Village- Bhola Das Basa, P.S.-
Beldour , District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate.

For the Opposite Party/s : Mr. Umanath Mishra, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in Beldour P.S. Case No.
232 of 2017 registered under Sections 323, 324, 325, 326, 307,
302, 114 and 120B/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Petitioner along with other accused persons are said
to have assaulted the mother and father of the informant by means
of lathi, danda and farsa over land dispute resulting into the death
of his father.

It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent. He has been falsely implicated
in the case due to land dispute. Allegation levelled against the



petitioner is not specific rather general and omnibus in nature. Injury sustained by the deceased though is on his vital part, but dimension of the said injury indicates it to be superficial in nature and no fracture on parietal bone was found by the doctor. There is no injury report of the mother of the informant in the case diary. Though the deceased has sustained three injuries, but assailant of the said injuries is not ascertained. The petitioner has been languishing in custody since 22.11.2017.

Learned APP and learned counsel for the informant vehemently opposing the prayer for bail submitted that the petitioner along with other accused persons has committed the murder of the father of the informant and also seriously injured his mother and treatment of his mother is still going on. Hence, he does not deserve bail.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-III, Khagaria in connection with Beldour P.S. Case No. 232 of 2017.

(Prakash Chandra Jaiswal, J)

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