

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61867 of 2018

Arising Out of PS.Case No. -116 Year- 2018 Thana -BARGAINIA District- SITAMARHI

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Dhiraj Kumar S/o Sanjay Paswan Resident of Village- Gandhinagar
Bairgania (Ashogi) P.S. Bairgania District Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks bail in Bairgania P.S. Case No.
116/2018, registered for the offences punishable under Sections
341, 323, 324, 326, 307, 504 and 34 of the Indian Penal Code.

Allegation is that while informant's son was going for
break-fast, three persons on a motorcycle came and asked his
name, as soon as he disclosed his name, petitioner took out knife
and gave repeated blow, as a result he sustained five injuries.
However, injuries are skin deep and simple in nature.

It has been submitted that petitioner has falsely been
implicated in this case. There is no eye-witness of the occurrence.

Petitioner has no criminal antecedent. He is in custody
since 31.05.2018.



Considering the fact aforesaid and nature of allegation, I am not inclined to enlarge the petitioner above-named on bail at this stage.

Petitioner may renew his prayer for bail in court below and same shall be granted to petitioner after six months of custody period on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 116/2018, subject to the 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.
- (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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