

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18403 of 2018

Arising Out of PS.Case No. -154 Year- 2017 Thana -BITHAN BAZAR District- SAMASTIPUR
=====

1. Md. Gulam Sabbir, S/o Marhum Ayub, Resident of Belaun, P.S.-Bithan,
District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyam Shivam Sundaram

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bithan P.S.Case no.154 of 2017 , registered for offences punishable under Sections 341, 323, 307, 448, 379 and 504/34 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted the informant by *Farsa* on head causing injury to him.

Submission of the learned counsel for the petitioner is that there is case and counter case between the parties earlier to the present case the informant is the aggressor and further submission is that the land dispute is going on, Title Suit is pending and the injuries are simple in nature.

Heard learned A.P.P. also , ho could not controvert the fact



that the injuries are simple in nature.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Rosera in connection with Bithan P.S.Case nO.154 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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