

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37039 of 2018

Arising Out of PS. Case No.-98 Year-2017 Thana- NAYAGAON District- Saran

Kamta Rai S/o Sri Keshu Rai Resident of Hasanpur, P.S. - Naya Gaon,
District - Saran... .. Petitioners

Versus

1. The State of Bihar.
2. Pankaj Kumar Rai S/o Rajkishore Rai R/o Hasanpur, P.S. Naya Gaon,
Dist.Saran.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra
For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 28-06-2018

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Naya Gaon P. S. Case No. 98 of 2017 registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 324, 307, 379 and 427 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused being armed with revolver and other weapons went at the house of the informant and started assaulting him causing injury on his head, snatched gold chain and further assaulted Neeraj Kumar and Meena Devi causing injury on their head and they also snatched gold chain of the mother of the informant and further took away of Rs. 50,000/- and damaged the motorcycle.



Submission is of false implication and that there is case and counter case, the petitioner without any fault is suffering in custody since 13.03.2018, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence. The petitioner has got no criminal antecedent and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. submits that opinion regarding injuries having kept reserve which is evident from the impugned order.

In the facts and circumstances stated above, considering that there is case and counter case and the petitioner by remaining in custody at this stage has sufficiently been penalized, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Learned Additional Chief Judicial Magistrate XIIIth at Chapra in connection with Naya Gaon P.S. Case No. 98 of 2017, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the



default on two consecutive dates on his part without any reason
shall disentitle the petitioner from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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