

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36967 of 2018

Arising Out of PS. Case No.-84 Year-2018 Thana- TEKARI District- Gaya

Madan Singh, Son of Late Madho Singh, Resident of Village- Guljarbag,
Police Station- Tekari and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Sri Manoj Kumar – 1 (APP)

**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 Tekari
P.S. Case No. 84 of 2018 registered for the offences punishable
under Section 341, 323, 307, 379, 504/34 of the Indian Penal
Code.

Allegedly, the petitioner and his son started
constructing the pillar on the drainage of the informant and
when the informant forbade them the petitioner and his son
started assaulting the informant, his wife and daughter with rod
and khanti causing injury on the hand of the informant and also
on the head of the wife and daughter of the informant and
further hand was fractured and they snatched gold chain and



locket.

Submission is of false implication and that due to dispute of date the occurrence has taken place, there was no intention to commit murder, there is no allegation that blow was repeated, there was no intervening circumstance, the petitioner is in custody since 03.05.2018 and he has sufficiently been penalized. Final injury report was not produced and, as such, the petitioner deserves sympathetic consideration as he is an old man.

Learned A.P.P. submits that on the head of the daughter and the wife of the informant injury was caused.

In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with the prosecution evidence and, as such, 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-VI, Gaya, in connection with Tekari P.S. Case No. 84 of 2018, 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.

(Jitendra Mohan Sharma, J.)

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