

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38332 of 2018

Arising Out of PS.Case No. -338 Year- 2017 Thana -KHARAGPUR District- MUNGER

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DEEPAK KUMAR RAY, Son of Surendra Rai, Resident of Village-
Prasando P.S. Kharagpur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner as well as

learned APP for the State.

The petitioner is in custody in connection with
Kharagpur P.S.Case No.338 of 2017 registered for an offence
under Sections 341, 323, 307 and 504 of the IPC.

It appears that the petitioner and husband of the
informant are agnates. On the date of occurrence, when the
informant went over her land, this petitioner and other co-accused
abused her. On the protest of the informant, accused Surendra Rai
(not petitioner before this Court) assaulted her husband by iron rod
on his head. This petitioner assaulted her husband by lathi causing
fracture injury.

It has been submitted that on the date of occurrence
scuffle took place between the parties for which a counter case



bearing Kharagpur P.S.Case No.337 of 2017 was registered. There is no repetition of blow by the petitioner. Petitioner has voluntarily surrendered before the court below on 17.05.2018 having clean antecedent.

The learned APP opposed the submissions.

Considering the facts and circumstances of the case, prayer for bail is allowed. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Jitendra Kumar, ACJM-IV, Munger in connection with Kharagpur P.S.Case No.338 of 2017 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 cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

B.Kr./-

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(Sanjay Kumar, J)

