

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62862 of 2018

Arising Out of PS. Case No.-318 Year-2017 Thana- BAKHTIARPUR District- Saharsa

Umesh Das Son of Chinti Das Resident of Village-Mohamadali Tola, Ward
No.11,Sitanabad Police Station-Bakhtiyarpur, Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Sri Manish Kumar 2

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Bakhtiyarpur P.S. Case No. 318 of 2017** registered for the offence punishable under Sections 341, 323, 324, 379, 307/34 of the Indian Penal Code.

Informant in his written complaint has stated that co-accused Ramesh Das and Sonu Das started digging the pathway over which earlier proceeding under Section 144 of the Cr.P.C was initiated and when he opposed the same then co-accused Mahesh Das and petitioner assaulted him by Farsa and Sword on his head. The son and wife of the Informant were also assaulted.

It has been submitted on behalf of the petitioner that he has committed no offence and has been falsely implicated in this case due to land dispute. There is no specific allegation of



assault against the petitioner. The injuries are simple in nature caused by hard blunt substance. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 11.10.2018 in Criminal Miscellaneous No. 62979 of 2018. Petitioner has got no criminal antecedent and is in custody since 12.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Saharsa**, in connection with **Bakhtiyarpur P.S. Case No. 318 of 2017** , with following 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(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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