

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67005 of 2018

Arising Out of PS. Case No.-293 Year-2018 Thana- MAJHAULIA District- West Champaran

Lal Babu Gaddi Son of Jajul Gaddi Resident of Village-Bathana, Police
Station Majhauliya, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Majhauliya P.S. Case No. 293 of 2018** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 448 and 504 of the Indian Penal Code.

Informant in his written report has stated that when the husband of the informant was sitting on his door, the accused persons, who happens to be agnates, variously armed came and started assaulting them by Garasai, Lathi, and Garasa resultantly, the husband of the informant got head injury due to which he succumbed to his injuries. It is further alleged that when the son and daughter of the informant came to rescue their parent, the accused have also assaulted them.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case due to land dispute. There is no specific allegation of assault against the petitioner. Post mortem report has been annexed as Annexure-2 from which it appears that the deceased died of Shock & Haemorrhage due to head injury. Chargesheet has been submitted. Petitioner has got no criminal antecedent and is in custody since 13.07.2018.

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, Bettiah (West Champaran)** in connection with **Majhauriya P.S. Case No. 293 of 2018**, 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 represented on each and every date fixed by the court.

(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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