

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70655 of 2018

Arising Out of PS. Case No.-226 Year-2016 Thana- GOPALPUR District- Bhagalpur

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Suman Yadav S/o Dinesh Yadav @ Bami Yadav, resident of Village- Gosain Gaon, P.S. Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Gopalpur P.S. Case. No. 226 of 2016 registered for the offences punishable under Sections 341, 323, 324, 307, 506 and 34 of the Indian Penal Code.

Informant has alleged that while he was sleeping four FIR named accused came and assaulted him. There is specific allegation against co-accused Dinesh Yadav of assaulting him by Garasa on his head which has been found to be simple in nature. Allegation against petitioner is of causing assault by butt of pistol on the back of informant.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to local politics. Injury is



simple in nature. He has no criminal antecedent and he is in custody since 25.07.2018. It has been further submitted that similarly placed co-accused has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 23377 of 2018 vide order dated 19.04.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each of the satisfaction of learned A.C.J.M. Naugachia District Bhagalpur in connection with Gopalpur P.S. Case No. 226 of 2016, subject to 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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at the liberty 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)

Rajiv/Manoj-

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