

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61994 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- JOGBANI District- Araria

Kulanand Paswan Son of Late Ratan Paswan, resident of Pipra, Ward No. 10,
P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Jogbani P.S. Case No. 166 of 2018** registered for the offence punishable under Sections 147, 148, 149, 323, 324, 307, 379 and 504 of the Indian Penal Code.

Informant in his written complaint has stated that when his son was coming from shop after taking potato then petitioner along with other co-accused named in the FIR variously armed with Dabiya, Axe and Iron rod came and started assaulting him on account of which he sustained injuries and his treatment is going on in Hospital.

It has been submitted on behalf of the petitioner that the petitioner has committed no offence and has been falsely implicate in this case due to land dispute. Petitioner and Informant are Gotiyas. Petitioner has got no criminal antecedent



and is in custody since 04.07.2018.

Considering the aforesaid facts and circumstances of the case and the nature of Injury, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioners named above be released on bail after completing six month of custody in jail, upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Araria, in connection with Jogbani P.S. Case No. 166 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.



Subject to the aforementioned observation and
direction, this application is disposed of.

(S. Kumar, J)

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