

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43128 of 2018

Arising Out of PS.Case No. -110 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Rameshwar Patel, S/o Late Bagad Patel @ Late Bagad Prasad,
2. Brajesh Patel @ Brijesh Patel, S/o Rameshwar Patel, Both resident of
Village- Tadhwanandpur, Tola- Bargachiya, P.S.- Bairiya, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-08-2018 Heard learned counsel for the petitioner and learned
A.P.P.

At the outset, learned counsel for the petitioner No. 1
submits that during pendency of this petition, the petitioner has
already been arrested and as such, this application has become
infructuous.

Accordingly, this application is dismissed as same has
become infructuous.

So far as the allegation against the petitioner No.2 is of
assault with dab over his head.

Submission of the learned counsel for the petitioner is
that the allegation against the petitioner is simple in nature by



hard and blunt substance and the petitioner has falsely been implicated in the present case. It is further submitted that the petitioner and informant are neighbors and the petitioner has no criminal antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner No. 2, above named on surrender or arrest within six weeks be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairiya P. S. Case No.110/2017, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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