

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44581 of 2018

Arising Out of PS. Case No.-700 Year-2017 Thana- PHULWARI District- Patna

Kaushlendra Kumar, Son of Sudheshwar Singh @ Bhutewan Singh, Resident of Village- Tarma, P.S.- Naubatpur, District- Patna ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, APP 102

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 30-07-2018

Heard the learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Phulwarisharif P.S. Case No. 700 of 2017 registered for offences punishable under Section 342, 323, 325 and 307, 379, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioner is of assault by rod on the leg of the informant and there is also allegation against another co-accused.

Submission of the learned counsel for the petitioner is that the impugned order itself shows injury report was not there in the case diary and, moreover, it is not on the vital part of the body and due to the village rivalry the petitioner has been implicated in this case.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, named above, in the event of arrest or surrender before the Court below, within a period of six weeks from the date of order, be released on bail



on furnishing bail bond of Rs. 25,000/- (rupees twenty-five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, XV, Patna, in connection with Phulwarisharif P.S. Case No. 700 of 2017 subject to the condition as laid down under Section 438(2) of the Criminal Procedure Code as well as with following conditions :

(I) One of the bailors of the petitioner shall be a local person, having sufficient immovable property within the jurisdiction of the concerned Court.

(II) The petitioner will not induce any witness or tamper with evidence.

(III) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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