

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66473 of 2018

Arising Out of PS. Case No.-365 Year-2018 Thana- GAYA KOTWALI District- Gaya

Bharat Paswan, Son of Bilash Ram, Resident of Village- Murli Hill, Tela Bigha, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sri Nand Kishore Pd (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 19-12-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Kotwali P.S. Case No. 365 of 2018 (G.R. No. 5037 of 2018) registered for the offences punishable under Sections 341, 323, 324, 307 of the Indian Penal Code.

Informant has alleged that on 29.07.2018 when he was going out to attend the call of nature accused petitioner attacked him from behind by sharp cutting weapon and rod and injured him and thereafter fled away.

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. According to injury report the informant has sustained four injuries which appears to be simple



in nature. The injury is caused by hard and blunt object however allegation is that petitioner assaulted by sharp cutting weapon as well as hard and blunt object. Petitioner has no criminal antecedent and is in custody since 30.07.2018.

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 to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. Case No. 365 of 2018 (G.R. No. 5037 of 2018), 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 shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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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