

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43185 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- RAUTA District- Purnia

Abdul Kudush, Son of Late Mohiuddin, Resident of Village- Sisabari, P.S.-
Routa, District- Purnea ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Bijendra Kumar Singh, Adv.
For the State : Mr. Uma Shankar Prasad Singh, APP 65
For the informant : Mr. Radha Mohan Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and the State.

The petitioner is languishing in jail since 17.05.2018 in connection with Routa P.S. Case No. 24 of 2018 registered under Sections 341, 323, 324, 307, 379, 325, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that there was land dispute between the parties and, therefore, there was some altercation giving rise to injuries. The allegation against the petitioner is that he attacked the informant with the spade, which has resulted in fracture to his hand.

Learned counsel for the informant has resisted the bail application stating that the petitioner has also having a tainted past though the submission is there that the petitioner has no criminal antecedent.

Considering the aforesaid facts that the petitioner, named above, has been in custody for two and half months, let he be



released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Routa P.S. Case No. 24 of 2018 to the satisfaction of Mr. P.K. Mohit, Additional Chief Judicial Magistrate, Purnea, on the following conditions.

(1) One of the bailors will be his own blood relative, preferably mother, brother, sister of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

It is made clear that the Superintendent of Police, Purnea, shall verify as to whether the petitioner has any criminal antecedent or not before the release of the petitioner.

(Anjana Mishra, J)

Shamshad/-

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