

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24073 of 2018

Arising Out of PS.Case No. -109 Year- 2017 Thana -JALALPUR District- SARAN

=====

Rahul Dutt Trivedy, Son of Bagish Dutt Trivedy, resident of Village-
Jalalpur, Police Station- Jalalpur, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Smt. Asha Kumari

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Jalalpur
Police Station Case No. 109 of 2017 registered for offences
punishable under sections 341, 323, 324, 325, 307, 504 and
506/34 of the Indian Penal Code.

The case has been registered on the basis of
fardbeyan wherein the informant has alleged that on 26.06.2017,
all the FIR named accused persons came at his shop, caught-hold
his son and assaulted him. The petitioner assaulted by Farsa blow
on his head. The other accused persons also assaulted the
informant and his family members.

It has been submitted that the petitioner is a



Government servant working as Head Constable in Bihar Military Police. The allegation of assault by Farsa blow stands falsified from the injury report which shows that the alleged injuries were caused by hard and blunt substance. There is also a counter case from the side of the petitioner for the said occurrence for which Jalalpur Police Station Case No. 108 of 2017 was registered. The petitioner is in custody since 22.03.2018 having clean antecedent and so he deserves bail

The learned Additional Public Prosecutor as well as the learned counsel for the informant opposed the submission.

On perusal of record it appears that both the parties are resident of same place and for the said occurrence, case and counter case have been lodged. The doctor has reported four injuries on the person of injured Rahul Dutt Trivedi and two injuries on the person of informant which are lacerated caused by hard and blunt substance.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Jalalpur Police Station Case No. 109 of 2017, subject to the



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 the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

Mahesh/-

U		T	
---	--	---	--

