

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78639 of 2018

Arising Out of PS. Case No.-228 Year-2016 Thana- BARHARA District- Bhojpur

Dudhnath Singh Son of Late Ramnath Singh, Resident of Village- Ekauna,
Police Station- Barahara, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Sri Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 05-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Barhara P.S. Case No. 228 of 2016** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 324, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his written complaint has stated that when he alongwith his relative Parasnath Singh, Kanhaiya Singh and Umesh Singh had gone to see his field of Chater Mauza then petitioner along with FIR named accused variously armed came there and abused and assaulted him. Allegation against the petitioner is of causing four sharp cutting injury on the head of Informant found to be grievous in nature. Other accused also assaulted Informant causing injuries upon him.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case due to land dispute. It has been further submitted that this case is counter blast of Barahara P.S. Case No. 225 of 2016. There is delay of three days in lodging the FIR. Petitioner has got no criminal antecedent and is in custody since 28.12.2017.

Bail application of the petitioner has been vehemently opposed by the counsel for the Informant by filing counter affidavit.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Ara** in connection with **Barhara P.S. Case No. 228 of 2016**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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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