

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52314 of 2019

Arising Out of PS. Case No.-302 Year-2019 Thana- GARKHA District- Saran

BINOD SAH @ BINOD PD. SAH S/o Lal Babu Prasad @ Lal Babu Sah R/o
Village- Motirajpur, Said Sarai, P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 27-11-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 341, 323, 324, 326, 307 and 504/34 of the Indian Penal Code.

Informant in his written complaint has alleged that on 25.05.2019 at about 6:00 pm he had gone to purchase *Fritter* (Pakauri) from the shop of Lalbabu Sah and some altercation took place with him in the meanwhile Ramjee Sah, Binod Sah(petitioner), Shatrughan Sah, Virendra Sah, Shambhu Sah, Vishal Kumar Sah, Akhilesh Sah, Pankaj Sah, Pappu Gupta, Abhishek Kumar Gupta, Sunil Kumar Gupta and Rohit Kumar Gupta variously armed with lathi, danda, rod and knife abused and assaulted him. Binod Sah(petitioner) inflicted knife blow on his back and above the waist as a result of which he sustained injuries.



It has been submitted on behalf of the petitioner that the present case has been instituted as counter blast of case instituted by his brother against the Informant as contained in Annexure-2. The injury report of the Informant has been enclosed as Annexure-4 series. Petitioner has got no criminal antecedent and is in custody since 28.06.2019.

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 court below where the case is pending, in connection with **Garkha P.S. Case No. 302 of 2019**, 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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