

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54245 of 2019**

Arising Out of PS. Case No.-651 Year-2019 Thana- NAWADA District-
Nawada

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SANNI KUMAR Son of Ravindra Singh Resident of Mohalla- New Area, P.S.-
Nawada, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 325, 504, 506, 307 of the Indian
Penal Code registered in connection with Nawada Town P.S. Case
No. 651 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute and there is case and
counter case between the parties. The accusation of assault is
general and omnibus in nature where the petitioner along with
co-accused Ravindra Singh are said to have assaulted the
informant on the arm leading to pain and swelling. It is
submitted that even though the injury on the right forearm of the
informant is said to be grievous in nature, such injury is not on a
vital part of the body and it is not ascertainable that it is the
assault of the petitioner that caused such injury. It is therefore
submitted that the accusations under Sections 307 IPC are not
made out and the remaining penal sections are bailable. It is



stated that the petitioner is accused in one prior case which is also a counter case in Nawada Town P.S. Case No. 30 of 2013.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 651 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate 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.

(iv) That 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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