

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78328 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- BHAWANIPUR District- Purnia

=====

Babu Lal Mandal son of Late Kallar Mandal, resident of village - Kemai, P.S.
- Bhawanipur, District - Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Sri S.M. Rahman

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 06-03-2019 Heard parties.

Petitioner seeks bail in Bhawanipur P.S. Case No. 61
of 2018 registered for the offence punishable under Sections
341, 323, 354, 325, 307, 504, 506/34 of the Indian Penal Code.

Informant in his written complaint has alleged that
FIR named accused persons tied their cattle from his Khuta and
when the wife of Informant protested then petitioner along with
FIR named accused variously armed with lathi and danda
assaulted her as a result of which she sustained leg and head
injury. In the meantime, when Informant came to save her wife



he was also assaulted by the accused persons as a result of which he also sustained injury on his right hand.

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. There is general and omnibus allegation against the petitioner. There is no specific allegation of any overt act against the petitioner. Petitioner has got no criminal antecedent and is in custody since 29.10.2018.

Considering the aforesaid facts and circumstances of the case and after perusing the injury report, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioner named above released on bail **after completing one year of Jail custody** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate-Purnea** in connection with **Bhawanipur P.S. Case No. 61 of 2018**, 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 absence on two consecutive dates without sufficient reason, his 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)

ranjan/-

U			
---	--	--	--

