

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79950 of 2018

Arising Out of PS. Case No.-174 Year-2017 Thana- HAJIPUR District- Vaishali

Tamanna son of Jalil @ Ganaur, resident of Bauli Mohalla, Police Station
Hajipur Town, District Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Choudhary
For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 31-01-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 13.12.2017 in Criminal Miscellaneous No. 57893 of 2017 with liberty to renew his prayer for bail if trial is not concluded the within one year.

Petitioner seeks bail in **Hajipur Town P.S. Case No. 203 of 2018 arising out of Hajipur Town P.S. Case No. 174 of 2017** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 504, 307, 427, 379 and 506 of the Indian Penal Code.

Informant has alleged that on 13.03.2017 when he was going on his motorcycle petitioner dashed his motorcycle by his motorcycle and started arguing with him and thereafter called 20-25 unknown person along with other FIR named



accused variously armed with *lathi*, *danda* and *sword*. It has been further alleged that petitioner gave a sword blow on his head and all the accused persons abused and assaulted him by means of *lathi*, *danda* and *sword*, and also damaged his motorcycle and snatched cash of Rs.20,000/- and fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Due to road accident informant sustained head injury. There is no injury report from Ganpati Hospital, Hajipur, where the petitioner was initially treated. Petitioner has got no criminal antecedent and is in custody since 10.07.2017.

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 **Sessions Judge, Vaishali at Hajipur**, in connection with **Hajipur Town P.S. Case No. 203 of 2018 arising out of Hajipur Town P.S. Case No. 174 of 2017**, 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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