

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1479 of 2019**

Arising Out of PS. Case No.-172 Year-2018 Thana- SIKARPUR District- West Champaran

Shambhu Prasad, son of Late Madhu Sah, Resident of Village- Diulia, Ward  
No. 24, Police Station- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arbind Kumar Singh  
For the Opposite Party/s : Mr.Sri Rajeev Nayan

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      18-01-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in  
connection with Shikarpur P.S. Case No. 172 of 2018 registered  
for the offence punishable under Sections 147, 148, 149, 341,  
323, 307, 354, 379, 504, 506 of the Indian Penal Code.

Informant has alleged in her written complaint that  
while she was performing her daily routine in her house, FIR  
named accused including petitioner entered her room and started  
abusing and assaulting her and when she protested Shambhu  
Prasad (petitioner) armed with Tangi inflicted blow over her  
neck which caused cut injury and there are general and omnibus  
allegation against all the FIR named accused of assaulting.

It has been submitted on behalf of the petitioner that



petitioner is innocent and has been falsely implicated in this case because of land dispute and they are agnates of informant. Petitioner has no criminal antecedent and he is in custody since 23.06.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 172 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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