IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78457 of 2018

Arising Out of PS. Case No.-555 Year-2018 Thana- PIRBAHOR District- Patna

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John Kumar @ Sattyam S/o Umakant Sharma Resident of Village-Kahua,P.S. Sangrampur,Distt.-Munger

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ram Sevak Choudhary
For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Pirbahore P.S. Case No. 555/2018 registered for the offence punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

Informant who is a student of Patna Science College in his fardebyan has alleged that while he was going to central dispensary and reached near the Notice Board of Patna College, F.I.R. named accused variously armed with iron rod and stick and accused Aditya Aryan of Patna College with intention to kill assaulted on his head by iron rod and, thereafter, another student assaulted with butt of pistol on his head as a result of which, informant fell down and started bleeding. Thereafter, other F.I.R. named accused also assaulted him by

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belt and iron chain and abused him and he became unconscious and was carried to P.M.C.H. by his two associates.

It has been submitted on behalf of the petitioner that the allegation made against him is of general and omnibus in nature and there is no specific allegation of assault made by the petitioner on the informant. Petitioner has no criminal antecedent and he is in custody since 06.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No. 555/2018, 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,

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prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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