

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60883 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- CHANPATIA District- West Champaran

Hira Patel, aged about 40 years, Male, Son of Late Jang Bahadur Patel
Resident of Village - Lakhaura, P.S.- Chanpatia, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Chanpatia P.S. Case No. 57 of 2019 registered for offences under sections 341, 323, 307, 324, 387, 379, 504, 147, 149, 506 of the Indian Penal Code.

As per allegation, after unloading soil in the Lakhaura village, the Informant was coming on motorcycle following his tractor. When the Informant reached at the deserted place, 10-12 persons intercepted the tractor of the Informant and demanded Rangdari from the brother of the Informant, namely, Shahjad. When the Informant denied for the same then, on the order of the present petitioner, the accused Dhurendra Patel stabbed him. He was treated in the Bettiah hospital.



Learned counsel for the petitioner submits that at best the petitioner can be said to be an order giver but, the fact is otherwise. Earlier some altercation has taken place between the parties in which the petitioner and his wife were also assaulted and they have also received injury.

The petitioner is in jail custody since 21.7.2019.

Looking to the facts and circumstances of the case, let the petitioner, namely, Hira Patel, be released on bail on 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 Chanpatia P.S. Case No. 57 of 2019 subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Chanpatia police station by 7th of every month for at least six months and



in case of failure without any valid rhyme or reason, the bail of
the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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