

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64984 of 2019

Arising Out of PS. Case No.-379 Year-2019 Thana- NAUBATPUR District- Patna

1. MUKESH RAI S/o Brijnath Rai Resident of Village- Ajama Dariyapur, P.S.- Naubatpur, District- Patna.
2. Lalan Rai S/o Nadi Rai Resident of Village- Ajama Dariyapur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-10-2019 Petitioners seek bail in anticipation of their arrest in connection with Naubatpur P.S. Case No. 379 of 2019, registered for the offences punishable under Sections 341, 323, 324, 307, 447, 504, 506/34 of the Indian Penal Code

As per F.I.R. petitioners are said to have by means of lathi and danda to the informant causing injury to her.

Submission of the learned counsel for the petitioner is that no case is made out against the petitioners under Section 307 of the I.P.C as there was no intention to kill her and the occurrence has took place in spur of the moment.

On the other hand, learned A.P.P. has opposed the prayer of bail on the ground that there is injuries on the head.

Having heard both sides, in view of the facts as discussed above, this application is disposed of with a direction



to the petitioner to surrender before the Court below within three weeks from the date of receipt of certified copy of this order, and the learned court below shall verify the injuries on the person of the informant and if it is found that injuries are simple in nature, the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M. II, Danapur in connection with Naubatpur P.S. Case No.-379 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned. Otherwise petitioner has to pray for regular bail.

It is made clear that injuries report and case dairy are not available, learned court below be released them on provisional bail for a period for sometime to obtained case dairy and injury report of informant and brother of the informant.

(Vinod Kumar Sinha, J)

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