

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3284 of 2020

Arising Out of PS. Case No.-167 Year-2019 Thana- NALANDA District- Nalanda

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SUDHIR PRASAD S/o Late Bhola Mahto R/o village- Mohanpur, P.S.-
Nalanda, District- Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Ms/Mrs.Madhuri Kumari, Advocate

For the Opposite Party : Mr.Amitesh Kumar, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the parties.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 307/34 and other allied sections of the Indian Penal Code.

Prosecution's case in brief is that when the informant was returning to his house from the field along with his father, the petitioner and other co-accused persons assaulted them. Petitioner assaulted informant's father with spade causing fracture injury in his hand.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case as the parties are agnate and there is land dispute between them. He submits that section 307 Indian Penal Code is not made out, whereas other sections are bailable.

Learned counsel for the informant opposes the prayer



for bail.

Considering the facts of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 the Chief Judicial Magistrate, Nalanda in Nalanda Police Station Case No. 167/2019 on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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