

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20008 of 2020

Arising Out of PS. Case No.-306 Year-2019 Thana- BAJPATI District- Sitamarhi

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NEMICHANDRA RAI S/o Gyanchandra Rai Resident of Village-
Raghunathpur, P.S.- Bajpatti, Distt- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-06-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Counsel for the petitioner is directed to remove the
defects, as point out by the office, within a period of four weeks from
the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 341, 323, 324, 307, 379, 354(B), 354, 506
and 34 of the Indian Penal Code.

The prosecution case in short is that the sister of the
informant was abused by the accused persons and when the
informant came to save her, the accused persons attacked on him
with knife due to which he sustained injury.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 1.1.2020 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. As far as allegation is concerned, a single knife blow is alleged to have been made by the petitioner. There is no repetition of knife blow made by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bajpatti P.S. Case No. 306 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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