

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73526 of 2019

Arising Out of PS. Case No.-258 Year-2019 Thana- MUFFASIL District- West Champaran

Balkeshwar Kumar, aged about 22 years male S/o Late Mithu Pandit R/o
village- Haribatika Chowk, P.S.- Bettiah Muffasil, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 31-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Bettiah Muffasil P.S.

Case No. 258 of 2019 registered for the offence under Section
307 & other allied sections of the Indian Penal Code.

In this case, the informant has made allegation
against the petitioner that he (petitioner) stabbed him with knife
on his back and other accused persons assaulted him with *lathi*
and when informant's father came to rescue him, petitioner
assaulted him also by *farsa*.

It is submitted on behalf of petitioner that no such
incident has taken place and petitioner has falsely been
implicated in this case. It is further submitted that petitioner and
informant are cousin brothers and there is long property dispute
between them. Till date, there is no injury report in the case



diary. Moreover, in this case, chargesheet has already been submitted and as such, there is no chance of tampering with the evidence and petitioner is in custody since 11-06-2019, having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged 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 C.J.M., Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case No. 258 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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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