

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32786 of 2020

Arising Out of PS. Case No.-479 Year-2018 Thana- DHAKA District- East Champaran

BALIRAM RAI S/O Late Laxman Rai R/O Village - Bashiya, P.S. - Dhaka
(Pachpakri O.P.), District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 04.07.2020 in connection with Dhaka (Pachpakri) P.S. Case No. 479/2018 registered for the offences punishable under Sections 147/149/341/447/323/324/325/307/379/504/506 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have given Farsa blow causing cut injury on the head of Shambhu Rai.

It is submitted that this case is counter version of Dhakha P.S. Case No. 480 of 2018 lodged by the petitioner against the informant of this case and others for occurrence of the same day. Both parties sustained injuries. It is further submitted, as per the injury report, Shambhu Rai has sustained two injuries. Both parties are close agnates and there is long



standing land disputes between the parties. Chargesheet has already been submitted in this case and the petitioner is in custody since 04.07.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned SDJM, Sikrahna at Dhaka, Motihari, East Champaran, in connection with Dhaka (Pachpakri) P.S. Case No. 479/2018, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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