

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37443 of 2020

Arising Out of PS. Case No.-49 Year-2020 Thana- JURAWANPUR District- Vaishali

BHISHM KUMAR RAI S/o Suraj Prasad Rai Resident of Paharpur East, P.S.-
Jurawanpur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fakira Prasad Rai S/o Late Hriday Rai Resident of Paharpur East, P.S.-
Jurawanpur, District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Kumar Prasad

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-02-2021 Heard both parties.

The petitioner seeks bail in Jurawanpur P.S. Case No. 49 of 2020, registered for the offence punishable under Sections 307, 341, 323, 379, 504 and 34 of the Indian Penal Code.

As per prosecution case, this petitioner is alleged to have assaulted the informant by iron rod, as a result of which he sustained injury on his nose.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is none else than nephew of the informant and there is long standing land dispute between the parties for which a partition case is pending vide Partition Suit No. 1050 of 2018 before the



court of Sub-Judge II at Hajipur, Vaishali. Chargesheet has already been submitted. Petitioner is in custody since 16.08.2020 and bears no criminal antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Additional Chief Judicial Magistrate V, Hajipur, Vaishali in connection with Jurawanpur P.S. Case No. 49 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

