

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38490 of 2020

Arising Out of PS. Case No.-31 Year-2019 Thana- KHUDWA District- Aurangabad

Dudheshwar Sao Son of Heera Sao, resident of village- Ram Nagar, PS-
Khudwan, Distt.- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar No. 3

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 10-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Khudwan P.S. Case No. 31 of 2019 registered for offence punishable under sections 341, 323, 325, 307 and 379/34 of the Indian Penal Code and later on section 302 IPC has been added.

Allegation has been made that on 27.06.2019, at about 3:00 P.M. the husband of the informant was returning home from Aurangabad and when he reached near the house of Dudheshwar Sao (petitioner), Dudheshwar Sao started demanding money and also started abusing. When the husband of the informant objected the same, the petitioner gave a lathi blow on his neck as a result of which blood oozing started from



his neck. In the meanwhile, Udit Sao son of the petitioner hit the husband of the informant on his head by iron rod causing head injury.

Learned counsel for the petitioner submits that the petitioner has not committed any offence and the witnesses have not stated anything against the present petitioner rather allegation has been made against Udit Sao and Hira Sao, not against the petitioner. The petitioner has remained in jail custody for more than one year.

Looking to the facts and circumstance of the case, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Daudnagar, Aurangabad in connection with Khudwan P.S. Case No. 31 of 2019, subject to the condition that one of the bailors of the petitioner shall be his close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. In case of failure on two consecutive dates without any reasonable ground, the court below will have liberty to pass an order including cancel the bail of the petitioner.



This order has been passed in presence of Mr. Binod
Kumar No. 3, learned counsel for the State.

(Shivaji Pandey, J)

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