

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39294 of 2020

Arising Out of PS. Case No.-411 Year-2019 Thana- BASANTPUR District- Siwan

Amrendra Prasad @ Amrendra Kumar S/o Vijay Prasad @ Vijay Pratap R/o
Village- Baswa, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogendra Prasad Sinha, Advocate
For the State	:	APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Learned counsel for the petitioner submits that 'District-Sitamarhi' has been typed due to inadvertence in the description of the petitioner in the cause title of the petition. The Correct District is 'Siwan'. He also draws attention of the Court that in the prayer portion of the petition 'Basantpur PS' has been wrongly typed as 'Baantpur PS'. The same may be read as 'Basantpur PS'.

The petitioner seeks bail in Basantpur PS Case No. 411 of 2019, instituted for the offence under Sections 147,148,149,341,323,324,307,504 and 506 of the Indian Penal Code.

The prosecution case is that based on a dispute regarding construction of boundary wall the accused persons have



assaulted the informant and his family members.

The learned counsel for the petitioner submits that even as per prosecution case, the occurrence is based on a land dispute. Specific assault is alleged against co-accused Pankaj Kumar and Vijay Prasad. The petitioner has been named on extraneous consideration. He has no criminal antecedents and is in custody since 03.09.2020. The accused persons have also lodged Basantpur PS Case No 412 of 2019, wherein, the prosecution side have also sustained injuries.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, be released 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 Chief Judicial Magistrate, Siwan, in connection with Basantpur PS Case No. 411 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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