

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8192 of 2021

Arising Out of PS. Case No.-24 Year-2020 Thana- BIBHUTIPUR District- Samastipur

Sita Ram Kuwar @ Sita Ram Kumar aged about 70 years Son of Late Kapal
Kuwar Resident of Village - Gangauli, P.S.- Bibhutipur, District - Samastipur
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr.Abhimanyu Sharma, Advocate

For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-05-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 307/34 and
other ancillary sections of the Indian Penal Code.

As per the prosecution case, on 18/19.1.2020 at about 2
am when the informant was sleeping, all of a sudden petitioner
and other accused persons surrounded and assaulted him by
means of khanti, iron rod etc as a result of which he sustained
injuries.

Learned counsel for the petitioner submits that for the
alleged occurrence FIR has been lodged after delay of about 17



days without any explanation for the delay. There is no eye witness of the occurrence. It is also the case of the petitioner that for the ulterior motive, injured informant was treated in the private hospital. Doctor has found five injuries caused by hard and blunt substances and out of them one injury has been found to be serious in nature. Petitioner is alleged to have given only one rod blow on the head of the informant and there is no allegation of repeated blow. Petitioner has claimed clean antecedent and he is in custody since 21.6.2020.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, 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 Additional Chief Judicial Magistrate II, Rosera at Samastipur in Bibhutipur Police Station Case No. 24/2020 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her 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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