

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9119 of 2021

Arising Out of PS. Case No.-128 Year-2019 Thana- PRATAPGANJ District- Supaul

JAI KRISHN BHUSKULIA SON OF LATE NARAYAN BHUSKULIA
VILLAGE- TEKUNA, P.S. PRATAPGANJ, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.

For the Opposite Party/s : Mr. Ram Sevek Chaudhary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 26-07-2021

In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Pratapganj P.S. Case No.128 of 2019 registered under Sections 341, 323, 324, 307, 504, 506/34 of the IPC.

The allegation is that the petitioner has assaulted the



victim Brahmdeo Kumar by means of *farsa* on his head.

It is submitted by the petitioner's counsel that injury has been found to be by hard and blunt substance. The informant has put LTI on the FIR and the same does not indicate that the contents were read over to the informant. These two factors cast suspicion the entire prosecution case. The same has been viewed with the fact that the petitioner and informant are agnates and there is subsisting land dispute. In fact there was a free fight between the parties and in the process the the victim has sustained the injuries. Having no criminal antecedent. Petitioner is in custody since 10.09.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Birpur (Supaul) in Pratapganj P.S. Case No.128 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)

Prakash Narayan /-

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