

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35213 of 2022**

Arising Out of PS. Case No.-6 Year-2020 Thana- CHANDRADIP District- Jamui

JITENDRA KUMAR SON OF UMA SHANKAR MISTRI RESIDENT OF
VILLAGE- MOHANPUR, P.S.- CHANDRADEEP, DISTRICT- JAMUI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 20-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Chandradeep P.S. Case No. 06 of 2020 registered for the
offences punishable under Sections 341, 323, 307, 379, 384,
504, 506/34 of the Indian Penal Code.

As per prosecution case, co-accused Jawahar Mistry
assaulted on the head of informant by means of iron rod. There
is allegation against the petitioner to have also assaulted on the
head of informant by means of iron rod.

Learned counsel for the petitioner submits that
petitioner is in custody since 23.04.2022. Petitioner bears no



criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. He further submits that the present occurrence has taken place due to dispute of passage. He further submits that from bare perusal of the injury report it is apparent that only one injury is sustained by the informant and it is not clear who is the author of the aforesaid injury because there is allegation in the FIR that petitioner and co-accused Jawahar Mistri assaulted upon the informant's head. There is no allegation of repeated blow against the present petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jamui in connection with Chandradeep



P.S. Case No. 06 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial Court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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