

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1721 of 2015

Arising Out of PS.Case No. -239 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Dinesh Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain

For the Opposite Party/s Mr. Anil Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 15.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 31.07.2014 in a case initially, registered under section 307 and other minor sections of the IPC but after investigation police submitted charge sheet for the offences punishable under sections 341, 323, 324, 379 and 504 of the IPC.

The accusation against the petitioner is that he gave **Fasuli** blow to the informant but admittedly, informant sustained simple injury and furthermore, injured sustained only abrasion on his belly but in spite of the aforesaid fact, learned Addl. Sessions Judge I, East Champaran, Motihari rejected prayer for bail of the petitioner without applying his judicial mind.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like

amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sadar, Motihari in Motihari Mufassil P.S. Case no. 239/2014.

Let a copy of this order be sent to learned Sessions Judge, East Champaran, Motihari with direction to him to furnish name of the concerned officer within one week from the date of receipt of this order so that necessary action could be taken against the concerned officer.

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(Hemant Kumar Srivastava,J)

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