

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24229 of 2015

Arising Out of PS.Case No. -393 Year- 2012 Thana -GOPALGANJ CITY District- GOPALGANJ

Vikash Sharma S/o - Naresh Sharma R/o Sareya Ward No.. -5, P.S.-
Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Amitesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-07-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
06.04.2015 in a case registered for the offences punishable under
Sections 147, 148, 149, 324 and 307 of the Indian Penal Code.

The prosecution case is that co-accused Ravi
Gupta pointed pistol on the chest of the informant and order to kill
thereupon co-accused Anil, Vivek and Anupam and this petitioner
assaulted with some sharp cutting weapon on the back and
abdomen of the informant. It is further alleged that informant took
shelter in the house of one Ajay Tiwari then Prakhar Dubey and
Ravi Gupta assaulted with sword. Apart from the FIR named
accused persons 10-15 also made assault.

It is submitted by learned counsel for the petitioner that the informant has received eight injuries, out of which injury nos. 1 to 4 have been found to be caused by hard and blunt substance whereas injury nos. 5,6, 7 have been found to be caused by sharp cutting weapon. The accusation of assault is omnibus and general. Accusation of assault against the petitioner is on the back and the abdomen of the informant, whereas most of the injuries were found on the scalp.

Considering the accusation substantially not being corroborated with the medical opinion and the investigation has already concluded, let the above named petitioner, 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 Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 393 of 2012.

(Dinesh Kumar Singh, J)

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