

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38677 of 2015

Arising Out of PS.Case No. -198 Year- 2015 Thana -PIRO District- BHOJPUR

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1. Nikhil Kumar Rai, son of Late Dina Nath Rai, resident of village Bachari,
P.S. Piro District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsels for the petitioner and

the State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections
147,148,149,323,341,325,307,427,336 and 337 of the
Indian Penal Code.

The prosecution case is that the accused
persons came to the door of the informant and started
demolishing the wall of the informant. On protest being
made by the elder brother of the informant namely
Rahul, co accused Dharmendra assaulted him with
hammer on his head. When the informant went to
rescue, this petitioner assaulted with iron pipe on his

head. Dharmendra assaulted the informant on his back when co accused Mukesh Kumar, Gopal Rai, Sushila Devi went to rescue, they were also assaulted. It is further alleged that co accused Ratana Devi, Maheshwari Devi and Ampu Devi assaulted with bricks to the informant side.

It is submitted by the learned counsel for the petitioner that in the background of land dispute the accusation has been levelled. The only accusation against the petitioner is that he assaulted with iron pipe on the head of the informant but there is no injury on the person of the informant. Statement to that effect has been made in paragraph 12 of the petition and the learned Sessions Judge has also recorded the said fact in the impugned order. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand)

with two sureties of the like amount each to the satisfaction of learned ACJM, Bhojpur at Ara in connection with Piro P.S. Case No.198 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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