

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49794 of 2014

Arising Out of PS.Case No. -169 Year- 2012 Thana -SIRDALA District- NAWADA

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1. Kapil Rajbanshi son of Bilash Rajbanshi resident of village / Mohalla Mahugain, P.S. Sirdala, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Shardanand Jha(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 06-04-2015 Heard learned counsel for the petitioner as well as learned APP for the State.

As per written report tendered by informant, Chandeshwar Rajbanshi, he was caught hold by Udesb Rajbanshi at about 9:00 p.m. on 27.10.2012, who pushed and abused him, on protest made by the informant. Udesb Rajbanshi was further joined by Ranjay and Kapil who were armed with Lathi and Khanti respectively, and during course thereof, kapil gave a Khanti blow over his head. He tried to escape. However, during course thereof, was assaulted by Lathi by Ranjay. Though doctor has found altogether five injuries over the persons of informant, out of which, injuries no.1, 2 and 3, lacerated 1 ½” x ¼” x 1” x ¼”, 1” x ¼” on the head as well as occipital area of skull, did not find favour even by the informant himself as he happens to be

silent with regard to repeated blow at the end of petitioner. Moreover, injuries have been identified as simple. Petitioner happens to be under custody since 08.10.2014.

Accordingly, petitioner, Kapil Rajbanshi is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada in Sirdala PS case No. 169/2012.

(Aditya Kumar Trivedi, J)

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