

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22696 of 2015

Arising Out of PS.Case No. -75 Year- 2013 Thana -NAUHATTA District- SAHARSA

1. Ram Badan Roy Son of Late Siyaram Roy Resident of village - Koyala,
Police Station - Nauhatta, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-06-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,307,504,379 and 506 of the Indian Penal Code.

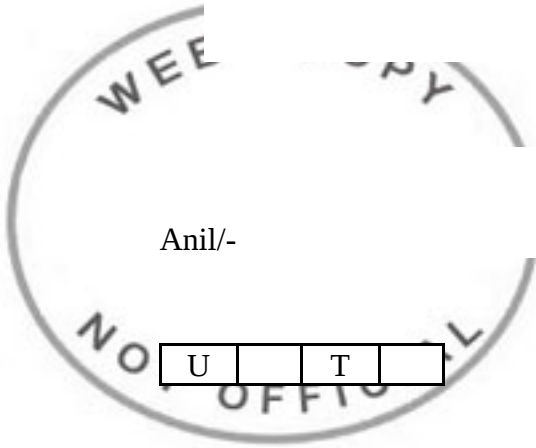
The prosecution case is that the informant objected of cutting soil from the road and filling it on the own land of the accused persons when the petitioner assaulted with spade on the head of the informant, thereafter co accused Ram Bachan Rai and Bishwanath Kumar assaulted the informant with lathi and snatched rupees three thousand.



It is submitted by the learned counsel for the petitioner that the injury report of the informant reflects only abrasion and bruises caused by hard and blunt substance. The injury report has been brought on record as Annexure 2. The brother of the petitioner Laxman Rai lodged Nauhatta P.S. Case No. 74 of 2013 on 7.7.2013 making accusation under sections 341,323,147,148,149,504,307,427 and 379 IPC and section 27 Arms Act against the informant and thereafter the present case was lodged on 8.7.2013. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation being not corroborated by the injury report, the case lodged by the petitioner side was earlier in point of time and the present FIR was registered on 8.7.2013 at 5 P.M. for the occurrence of 7.7.2013 at 2.30 P.M., 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 CJM, Saharsa in connection with Nawhatta P.S. Case No. 75 of 2013 subject to the

conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)