

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17583 of 2015

Arising Out of PS.Case No. -212 Year- 2014 Thana -MARHAURA District- SARAN

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Kishore Kumar Singh S/o Vasudev Singh

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the own brother of the informant is apprehending arrest in a case registered for the offences punishable under Sections 147/ 148/ 149/ 341/ 323/ 324/ 307/ 379/ 427/ 504 of the Indian Penal Code.

It is alleged that co-accused Prabhu Ram pointed pistol on the head of the informant. In the meantime, the petitioner assaulted with '*daab*' causing injury on the head of the informant while other assaulted the informant with '*lathi*' and '*danda*' when one Sonu Kumar tried to intervene then he was also assaulted. The accused persons also snatched gold chain and a purse containing Rs.6,000/- from the wife of the informant.

It is submitted by learned counsel for the petitioner that for a petty dispute the accusation has been levelled and the petitioner filed Amnour P.S. Case No. 76 of 2014 against the informant and others which was registered at 4:00 pm for

assaulting the father of the petitioner and, thereafter, at 05:30 pm, on the same day, the present case was registered in different police station namely, Morhowrah police station which is beyond the territorial jurisdiction of the occurrence. The informant earlier also filed a case against the petitioner wherein the petitioner was granted anticipatory bail by the learned court below and the injuries of the informant and his son have been found to be simple in nature. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the case filed by the informant at earlier point of time and the accusation in the background of the land dispute between the petitioner and the informant being own brother, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Marhaura, Saran at Chapra in connection with Marhaura P.S. Case No. 212 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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