

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25333 of 2015

Arising Out of PS.Case No. -124 Year- 2015 Thana -SHASTRINAGAR District- PATNA

=====

1. Deoraj Thakur S/o Late Chhedi Thakur R/o Mohalla - Sultanpur, P.S.
Danapur, Dist. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Mustaque Alam(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under
Section147/148/149/341/323/307 of the Indian Penal Code and 27
of the Arms Act.

It is alleged that in the background of land dispute the
co-accused Madheswar Sharma assaulted with hockey stick on the
head of the informant when the informant fell down then the
petitioner assaulted with iron rod and, thereafter, both resorted to
fire but no injury was caused by firing. It is further alleged that
when brother of the informant Manish Kumar came to rescue then
he was assaulted by co-accused Rajeev Ranjan and Sanjeev
Ranjan with the butt of the pistol.

It is submitted by learned counsel for the petitioner that in the background of admitted land dispute, the accusation has been levelled and the injury report reflects only one lacerated injury over the left parietal region caused by hard and blunt substance but simple in nature. Admittedly, the accusation of first assault is against co-accused Madheswar Sharma and the petitioner is a retired government servant aged about 73 years.

It is submitted by learned counsel for the informant that the accusation of assault specific against the petitioner also.

Considering the fact that accusation is not corroborated by the injury report, 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 Judicial Magistrate, 1st Class, Patna in connection with Shastri Nagar P.S. Case No.124 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--