

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28495 of 2015

Arising Out of PS.Case No. -161 Year- 2013 Thana -MUFFASIL District- AURANGABAD

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1. Ram Yash Rai S/o Bashishth Rai Resident of Village - Dharampur, P.S. Chouri, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Ashok Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 23-07-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Aurangabad Mufassil P.S. Case No. 161 of 2013 registered for the offences punishable under Sections 457, 149, 341, 323, 324, 307, 380 of the Indian Penal Code and 27 of the Arms Act.

The accusation against the petitioner is that he along with some others entered the house of the informant and not only assaulted the informant and other inmates of the house but also committed theft.

The contention on behalf of the petitioner is that informant and other accused are agnates and petitioner happens to be relative of both the parties. It is also contended by him that both

parties are on litigating terms since long but unfortunately, the petitioner has also been dragged by the informant in the above stated dispute. It is further contended by him that moreover, no specific overt-act has been attributed against the petitioner who does not have any criminal antecedent and is resident of another village.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in Aurangabad Mufassil P.S. Case No. 161 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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