

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36528 of 2015

Arising Out of PS.Case No. -195 Year- 2014 Thana -BIHRA District- SAHARSA

1. Abdul Rahman @ Md. Rahman, son of Md. Sakhawat Resident of Village Bela Bagrauli, Police Station, Bihra, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-09-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,324,325,307,302,385 and 504 of the Indian Penal Code.

The prosecution case is that the informant leased out his pond to one Kusho Mukhiya and Anil Jha. The informant and his uncle were trying to fish in the pond, in the meantime, Pradeep Thakur alias Lallu Thakur, Deepak Thakur, Ajay Kumar, Ram Varan Thakur, Ram Bilas paswan, Fullo Paswan, Raghuni Paswan, Rajendra Ram (non petitioners) and the petitioner along with 10-15 came and

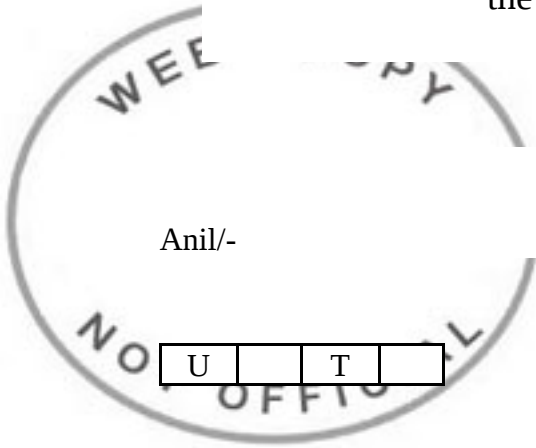


restrained the informant and others to fish in the pond till the payment of extortion amount is made. On protest being made Pradeep Thakur alias Lallu Thakur assaulted with iron rod on the head of the uncle of the informant and co accused Deepak Thakur assaulted with farsa on the head of the informant. While the informant and his uncle were being taken to hospital, co accused Navin Thakur and Shivji Ram were found talking that Jai Krishna Thakur ought to have been killed. Subsequently, the uncle of the informant Jai Krishna Thakur succumbed to the injuries.

It is submitted by the learned counsel for the petitioner that there is no specific accusation of assault against the petitioner and the injury of the informant has been found to be simple whereas co accused Shivjee Ram has been granted bail vide Cr. Misc. No. 14635 of 2015.

Considering the fact that accusation of assault is not against the petitioner, 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 JM Ist Class, Saharsa in

connection with Bihra P.S. Case No.195 of 2014 subject to
the conditions as laid down under Section 438(2) Cr.P.C.



Anil/-

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(Dinesh Kumar Singh, J)