

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38728 of 2015

Arising Out of PS.Case No. -190 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

Babulal Yadav S/o Late Sipahi Yadav Resident of Village- Bahera, P.S.
Kudra, District Kaimur (Bhabua), Bihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 28-09-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 324, 307, 504, 506/34 of the Indian Penal Code and 3(1)(x)
of SC/ST (Prevention of Atrocities) Act.

The accusation against the petitioner is of
assaulting the husband of the informant with Farsa on his head
and back.

It is submitted by learned counsel for the
petitioner that in the background of petty dispute the accusation
has been levelled when lacerated wound of marginal size has
been found on the scalp and no injury was found to be grievous.

The injury has been found caused by hard and blunt object whereas accusation is of making assault by sharp cutting weapon. The FIR was registered on 24.06.2015 which reached to the court on 26.06.2015 suggesting registration of FIR by antedating.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the accusation is not being corroborated with the medical opinion, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Kudra P.S. Case No. 190 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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