

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37284 of 2015

Arising Out of PS.Case No. -146 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

1. Umesh Chandra Shukla son of Lalbabu Shukla, resident of Village-
Jalalpur, P.S. Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 15-09-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 341,323,324,379,307
and 504/34 of the Indian Penal Code.

The prosecution case is that the petitioner and co
accused Ganesh Chandra Shukla entered into the house of the
informant and assaulted the informant on his head. It is further
alleged that the petitioner caused injury to the informant with
barchhi also. Co accused Sonu assaulted Anshuman Shukla and
Bittu, Situ and Mithu assaulted the son of the informant when one
Manjay Kumar came to rescue then he was also assaulted by the
accused persons. The wife of co accused Ganesh Shukla snatched
gold chain from the informant's wife.

It is submitted by the learned counsel for the petitioner that none received any injury from the informant side. Statement to that effect has been made in paragraph 9 of the petition which reads as follows:

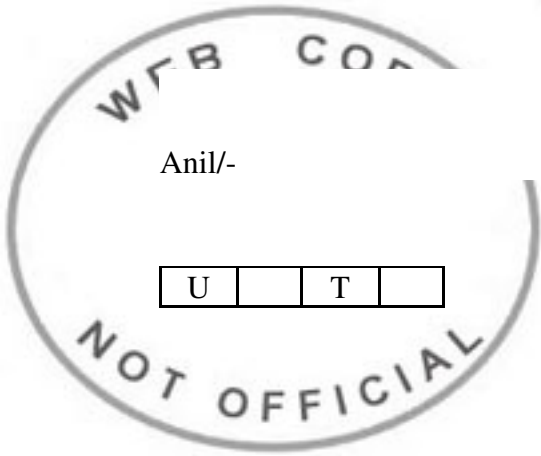
“That it is humbly be stated and submitted that the simple Mar-pit was that date due to Nala on aforesaid date and no one was injured in the side of informant. The informant has not produced any document regarding his injury.”

It is further submitted that there is counter version of the occurrence.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of four 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 CJM, Vaishali at Hajipur in connection with Lalganj P.S. Case No.146 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that none from the informant side have received any injury but in case it is found that some one from informant side has received substantial injury then the

petitioner will surrender and pray for regular bail.



(Dinesh Kumar Singh, J)