

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38147 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -MOKAMAH District- PATNA

1. Suraj Kumar @ Suraj Kumar Sharma, son of Braj Bhushan Prasad Singh @ Chote Singh @ Chote Narayan Sharm, resident of Village- Maliya Ghat, P.S.- Mokama, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Binod Kumar 3(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-09-2015

Heard learned counsels for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that informant was returning home after taking tuition then F.I.R named accused persons and 8-10 unknown surrounded the informant for a petty dispute cropped up during cricket match, when this petitioner assaulted trice with sharp cutting weapon 'Katta' and when informant tried to escape from the scene then accused persons caught hold him and thereafter this petitioner made fourth assault with 'Katta' on his head, as a result the

informant received four bleeding injuries. Thereafter co-accused Bhusi Singh assaulted with iron rod on the neck of the informant causing serious injury on the neck. Co-accused Sonu Kumar pointed pistol on the temporal region of the informant. In the meantime, the brother of the informant came to rescue then he was also assaulted by Sonu Kumar with the butt of the pistol causing injuries. Thereafter all the accused persons assaulted the informant with fists and slaps.

It is submitted by learned counsel for the petitioner that for a petty dispute among the students while playing cricket the accusation has been levelled. The accusation is not being corroborated with the injury report as the injury report suggests only one cut injury of marginal size on the right parietal area, whereas out of four injuries two injuries are lacerated ones and except one all the injuries have been found to be simple, caused by hard and blunt substance.

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

Considering the accusation not being corroborated with the injury report, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,

Barh, Patna in connection with Mokama P.S. Case No. 27 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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