

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37106 of 2015

Arising Out of PS.Case No. -421 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Sri Bhagwan Sahani @ Bhagwan Sahani son of Late Biran Sahani, resident
of Village- Purbari Barwa, P.S.- Lakhaura, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-09-2015 Heard learned counsel for the petitioner Sri Abhishek
Kumar and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Muffasil (Lakhaura) P. S. Case no. 421 of 2014 for the offence
alleged under Sections 323, 307, 379, 341,342, 448 and 504/34 of
the Indian Penal Code.

The prosecution case is that on 22.11.2014 in the night
accused Sattar Mian assaulted the informant by means of iron rod
on his head and petitioner assaulted on his (informant) palm by
iron rod. Thereafter, informant's father was also assaulted by the
petitioner. Moreover, Rs.5,000/- and Rs.2,000/ were snatched by
the petitioner and other accused from the pocket of informant and
his father respectively.

It has been submitted by the learned counsel for the
petitioner that no case under Section 307 of the Indian Penal Code
is made out against him as the allegation against him is hitting the
informant by iron rod on the palm that led to bleeding. It has

further been submitted that the injury report, which is placed at Annexure-2 of this application, shows that the injuries are simple in nature.

Under such circumstances, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Muffasil (Lakhaura) P. S. Case no. 421 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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