

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48794 of 2015

Arising Out of PS. Case No. -70 Year- 2015 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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Binod Rai, Son of Late Muni Lal Rai, resident of village - Ishakpur, Ward
No. 18, P.S. - Mahnar, District - Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary, Advocate

For the Opposite Party/s : Mr. Dr. Kr. Uday Pratap (APP)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

2 05-11-2015

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under
Section 307 and other allied sections of the Indian Penal Code.

The allegation is that the petitioner gave a Farsa blow
on the head of the informant causing sharp cut wound on the
occipital area.

The petitioner submits that there is a case and counter
case. He further submits that the occurrence took place in the same
transaction and his son sustained injury on the head and other parts
of the body by the prosecution side. He further submits that there
is free fight in which both the sides have sustained injuries.

In my view, the ground taken by the petitioner would
be a ground for regular bail.

In the circumstances, if the petitioner surrenders

before the court below (Chief Judicial Magistrate, Vaishali at Hajipur) and prays for regular bail, the same would be disposed of preferably on the same day taking into consideration that there is a case and counter case and there is free fight between both the parties.

With the aforesaid observation, this application stands disposed of.

(Samarendra Pratap Singh, J.)

Uday/-

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