

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30369 of 2015

Arising Out of PS.Case No. -15 Year- 2015 Thana -KURSELA District- KATIHAR

Kamal Nath Poddar son of Late Jai Narayan Poddar, Resident of Village-
Ayodhyaganj Bazar, Police Station- Kursella, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Kursella P.S. Case No.15 of 2015 registered under sections
448, 341, 323, 225, 504, 506 and 307/34 of the Indian Penal Code.

The case diary in the present case has been called for
which has been received.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the
present case and there was dispute between the parties for which a
civil litigation is also pending. He further submits that an
altercation took place between the parties and while they were
scuffling, the informant's father who had been carrying sharp

cutting weapon attacked the petitioner which hit the informant himself and while trying to take it from him, the informant's father sustained injury on his left thumb. Learned counsel further submits that as such no overt act can be attributed to this petitioner rather he had been obstructed in the construction of his house.

Learned counsel for the State after perusing the case diary submits that such story has been also stated by the several witnesses in the case diary and there is no further material in the same against the petitioner.

Considering the aforementioned facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond Rs.10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kursella P.S. Case No.15 of 2015, subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

Md.S./-

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