

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50367 of 2015

Arising Out of PS.Case No. -132 Year- 2015 Thana -SAHPUR District- PATNA

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1. Veera Rai Son of late Sakal Rai Resident of Village- Chhehatar, Police Station-Maner ,District Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Rajpati

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 21-12-2015

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under sections 307/379,504/34 of the Indian Penal Code.

It is alleged that on 18.7.2015 at 1 PM one Shiv Nath Rai was pushing the dirty water of his house in the informant's court yard to which he protested. Thereafter, the accused persons including the petitioner came armed with weapon. The petitioner is said to be armed with Gadasa. It is alleged that the petitioner assaulted on the head of the informant with Gadasa, whereas one Sanjay Rai assaulted him with iron rod.

Learned counsel for the petitioner submits that the allegation against him is apparently false as there is no sharp cutting injury on the person of the informant. He further submits that the dispute arose at the spur of the moment and it is the

informant who triggered the incident.

In my view, if the petitioner surrenders and take all these points noted in this order, the trial court would dispose of the bail application of the petitioner preferably on the same day without prejudice taking into consideration that the injury sustained by the informant is simple in nature.

With the aforesaid observations and directions, this application stands disposed of.

(Samarendra Pratap Singh, J)

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