

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52563 of 2015

Arising Out of PS.Case No. -162 Year- 2015 Thana -Raxaul District-
EASTCHAMPARAN(MOTIHARI)

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Niraj Das

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-12-2015

Heard learned counsel for the petitioner and learned A.P.P.

for the State.

The petitioner apprehends his arrest in connection with Raxaul P.S. Case No. 162 of 2015 registered for offences punishable under Sections 341,323,308,379,504,506/34 of the Indian Penal Code.

The prosecution case is that on 14.06.2013 when the informant was returning from his house after selling milk when he reached at the house of the petitioner Niraj Das, all accused persons including the petitioner surrounded him, and thereafter the petitioner Niraj Das assaulted him by means of iron-rod causing head injury, and then Priyanka Devi wife of Niraj Das Snatched Rs. 20,000/- and a mobile phone from the pocket of the informant. Sanjay Das, who is brother-in-law of the petitioner Niraj Das, assaulted the informant by fists and leg. On alarm raised by the informant, his wife and co-villager came to save his life, and then

all accused persons fled away. The Informant's son had taken buffalo for grazing, and the son of the petitioner Niraj Das was insisting his son to get him seated on the back of the buffalo, and on account of this quarrel took place.

It has been submitted by the counsel for the petitioner that there is inordinate delay of six days in lodging the FIR and the petitioner has been falsely implicated in this case. The petitioner has clean antecedent which finds place at paragraph 3 of this petition. A compromise petition filed by the informant before the Court of Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari that there is no dispute with the petitioner which finds place at Annexure 2 of this petition.

Be that as it may, let the petitioner, namely, Niraj Das in the event of his arrest / surrender within a period of eight weeks from today before the Court below, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari in connection with Raxaul P.S. Case No. 162 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

Prakash/-

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