

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54449 of 2015

Arising Out of PS.Case No. -90 Year- 2014 Thana -KHAIRA District- JAMUI

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Wakil Modi @ Wakil Modi, son of Yaddu Modi, resident of village-
Panbharava, P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Indu Bala Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 01-12-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147,
149, 323, 341, 325, 504, 407, 354 and 379 of the Indian Penal
Code.

The prosecution case is that the accused
persons came variously armed and started cutting the Jackfruit
tree of the informant. On protest being made the accused persons
chased the informant to the house when this petitioner gave axe
blow on the head of the informant, co-accused Yaddu Modi
assaulted with lathi on the head of the informant when the
brother of the informant came to rescue co-accused Gopal Modi

made attempt with rod on the head but caused injury on the his hand and when the mother of the informant came to rescue then she was being assaulted by co-accused Rajendra Modi. Co-accused Bikki Kumar assaulted the sister-in-law of the informant and co-accused Sujit Modi snatched gold chain of the mother of the informant.

It is submitted by learned counsel for the petitioner that the petitioner made assault to the informant with the axe on his head. The injury report of the informant suggests one of the injuries as grievous. It is further submitted that there is a counter version of the occurrence also and Gopal Modi has received grievous injury. Moreover, Gopal Modi and Yaddu Modi have been granted anticipatory bail vide Cr. Misc. Nos. 40185 of 2015 and 42250 of 2015 by co-ordinate Bench of this Court.

Considering the fact that the informant was assaulted by others including the petitioner and one grievous injury has been found on the person of the informant, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the

like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Jamui in connection with Khaira P.S. Case No. 90 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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