

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36125 of 2015

Arising Out of PS.Case No. -143 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

1. Anirudh Singh Son of Sri Bhagwan Singh Resident of village - Semraon,
P.S. Charpokhari, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 07-09-2015 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 143,
341, 323, 325, 379, 504, 379, 506 of the Indian Penal Code.

It is alleged that the petitioner assaulted the
informant with khanti on his head, causing grievous injury.

It is submitted by the learned counsel for the
petitioner that for the occurrence of 11.05.2015 the First
Information Report was registered on 15.05.2015, whereas the
F.I.R. of petitioner's side was registered on 12.05.2015 itself. It
is submitted that informant has not received any injury on his
head. Moreover injuries of informant have been found to be
simple in nature. Learned Sessions Judge while recording the
accusation portion has committed an error of record that the
informant received grievous injury due to assault made by the

petitioner, rather informant was assaulted by co-accused Anirudh Singh. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the case, the First Information Report lodged by the petitioner's side being registered at the earlier point of time and the averment of the petitioner that the informant received simple injury, let the above named petitioner be released on provisional anticipatory bail for three months 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 like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur, Arrah, in connection with Charpokhari P.S. Case No. 143 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

Learned court below is expected to verify the fact that the informant has received simple injury or not, If it is found that the informant has received simple injury, then the provisional bail of the petitioner will be confirmed by the learned court below, otherwise petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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