

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41902 of 2015

Arising Out of PS.Case No. -102 Year- 2014 Thana -JAGDISHPUR District- BHAGALPUR

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1. Arun Mandal, son of Jagdish Mandal, residents of village Sonudih, P.S.-
Gauradih, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-10-2015

Petitioner is apprehending his arrest in a

case registered for the offences punishable under Sections 147,
148, 149, 307, 504, 506 of the Indian Penal Code.

The prosecution case is that on 30.04.2014
the accused persons came surrounded the informant when co-
accused Rajan Mandal assaulted with iron rod whereas this
petitioner assaulted with farsa to the informant and started
dragging him towards the house, but in the meantime, the
villagers came to rescue then accused persons escaped from
the scene.

It is submitted by learned counsel for the
petitioner that for the occurrence of 30.04.2014 the First
Information Report was registered on 06.05.2014 which
reached to the Court of learned Chief Judicial Magistrate on
09.05.2014 which reflects that F.I.R was registered by ante-
dating. The petitioner's side also received injuries. There is

counter version of the occurrence also and petitioner's side lodged Jagdishpur(Goradih) P.S. Case No. 96 of 2014 on 30.04.2014 itself. Though one sharp cut injury on the left temporal area of scalp and one lacerated injury on the scalp have been found grievous, but the injury report does not reflect any dragging injury as it is the specific case of the informant that after being assaulted, he was being dragged towards his house.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the F.I.R, the case lodged by the petitioner's side at earlier point of time and the accusation not being corroborated with the medical opinion as no dragging injury has been found, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur(Goradih) P.S. Case No. 102 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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