

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50163 of 2015

Arising Out of PS.Case No. -100 Year- 2015 Thana -PATEPUR District- VAISHALI(HAJIPUR)

=====

Uday Kumar Mishra, son of Late Hari Narayan Mishra, resident of Village -
Bajitpur Kushahi, P.S. - Patepur, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 10-12-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Patepur P.S. Case No.100 of 2015 registered under Sections 341,
323, 324, 307 and 379/34 of the Indian Penal Code.

The allegation of the informant, Aman Kumar, is that on
22.07.2015, the informant had gone to take his 'Bua' and asked
her to get ready. Thereafter, he went to adjacent shop to take
biscuit for children. When he was returning after taking the biscuit
for there, in the way, just when he reached in front of the house of
Uday Kumar Mishra (petitioner), which was situated nearby the
house of his 'Bua', suddenly all the accused persons named in the

F.I.R. including the petitioner surrounded him and the petitioner and his wife put him on the ground and started assaulting him with fists and slaps. Thereafter, the petitioner asked his daughter to bring out a 'Kulhari' from the house. As soon as the daughter of the petitioner brought out 'Kulhari', the petitioner took it from her hand and assaulted the informant with an intention to kill causing injury on his hand and head. It is also alleged that the co-accused, Radha Rani Kumari snatched and took away the gold chain of the informant.

Learned counsel appearing on behalf of the petitioner submits that, in fact, Complaint Case No.2589 of 2015 was filed in the court of the Chief Judicial Magistrate, Hajipur, Vaishali, by the petitioner against the informant and his other family members under Sections 323, 324, 504, 380, 354, 354(A), 354(B), 376 and 379 of the Indian Penal Code on 24.07.2015 and only to save his skin, the informant after four days of the alleged occurrence said to be taken place 22.07.2015 lodged the present case. Moreover, the injury as found on the person of the informant was simple in nature.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on his

furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Vaishali, in connection with Patepur P.S. Case No.100 of 2015, subject to the conditions laid down under Section 438(2) Cr. P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U			
---	--	--	--