

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56615 of 2015

Arising Out of PS.Case No. -248 Year- 2014 Thana -BHANGWANPUR HAT District- SIWAN

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Rupesh Kumar @ Rupesh Kumar Mishra @ Rupesh Mishra, son of late
Saryug Mishra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 14-12-2015 Supplementary affidavit is filed on behalf of the

petitioner but welfare stamp has not been pasted on the

supplementary affidavit to which it is informed that welfare stamp

is not available.

Power is also filed on behalf of the informant.

Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner is said to have given fasuli blow on the

neck of the informant but it is specific in the first information

report that Nand Kishore Mishra handed over dab to Sri Niwas

Mishra but he had not given any weapon to the petitioner.

Moreover, altogether, three injuries were found on the person of

the informant and all the injuries were found simple in nature

though the doctor opined that injury attributed to the petitioner was dangerous to life.

Learned counsel for the petitioner points out that one co-accused, Sri Niwas Mishra, against whom there was allegation of giving Dab blow on the head of the informant, has already been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 12.08.2015 passed in Cr. Misc. No. 31890 of 2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri M.K. Srivastwa, Judicial Magistrate, Siwan in connection with Bhagwanpur Hat P.S. Case No. 248 of 2014.

(Hemant Kumar Srivastava, J)

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