

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30008 of 2014

Arising Out of PS.Case No. -160 Year- 2014 Thana -FATEHPUR District- GAYA

Janardhan Paswan, Son of Shri Banawari Paswan, Resident of village-
Chapari, P.S.- Fatehpur at District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 16-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with registered for the offences punishable under Sections 143,
323 and 353 of the Indian Penal Code, seeks the privilege of pre-
arrest bail.

Allegedly, the petitioner went to the informant's toddy
shop and demanded toddy. The husband of the informant gave
toddy but he paid only Rs. 20/- and when again Rs. 20/- was
demanded, altercation took place and the petitioner abused and
assaulted the husband of the informant with Sota (lathi) as a result
of which he fell down and became unconscious. When the
informant tried to rescue him, she was also assaulted by the

petitioner but raising an alarm the villagers came and then the petitioner fled away.

Submission is that for a dispute of Rs. 20/- this case has been filed no injury has been caused to the informant's husband so no offence under Section 307 of the Indian Penal Code is made out and such the petitioner deserve sympathetic consideration to which the learned A.P.P. fairly submits that there is no allegation for repeating the blow.

In the facts and circumstances as stated above, the petitioner, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Fatehpur P.S. Case No. 160 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

Vats/-

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