

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29529 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -BIRAUL District- DARBHANGA

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Durga Nand Choudhary, son of Hare Ram Choudhary, Resident of Village-
Sahasaram, Tole Bathnaha, P.S. Biraul, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Satyendra Kumar Srivastava, Advocate

For the Opposite Party/s : Ms. Gulnar Begum(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Biraul P.S. Case No.65 of 2015 for allegedly
having committed the offence under Sections 341, 323, 324,
307 and 379/34 of the Indian Penal Code.

Case diary in the present case was called for, which
has since been received.

Learned counsel for the petitioner submits that
admittedly, there was a deep-rooted enmity between the
parties and, therefore, the issue of false implication cannot be
ruled out. Learned counsel further submits that even if the
injuries are taken in its totality, the same cannot constitute
grievous injury as the informant has suffered 3 ½ inches
bleeding injury, but he was not so much hurt so as to cause
him to be immobilized for a continuous period of twenty days
as is envisaged in the Section and that it would not constitute
a grievous hurt. He further submits that soon after the

occurrence, within a period of two hours, the informant went to the police station along with his Lawyer to file the present First Information Report.

Considering the aforementioned facts and circumstances and that there was a long-seated dispute between the parties and that the petitioner has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Biraul at Benipur, District-Darbhanga, in connection with Biraul P.S. Case No.65 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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