

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13132 of 2015

Arising Out of PS.Case No. -23 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Murari Singh Son of Krishnandan Singh Resident of Village- Khamhar,
P.S.- Begusarai (M), District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 07-04-2015

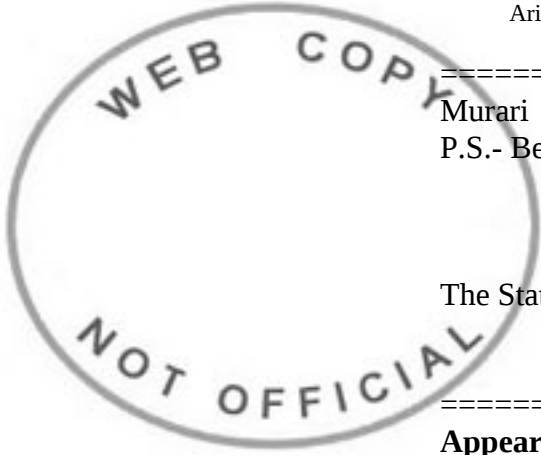
Heard learned counsels for the petitioner,

State and the informant.

The petitioner is languishing in custody since
14.02.2015 in a case registered for the offences punishable under
Sections 147, 148, 149, 323, 324, 307, 379 and 506 of the Indian
Penal Code.

It is alleged against the petitioner that he
made assault with Garasa causing injury on the thumb of the
informant. Thereafter, co-accused Pappu Singh assaulted with iron
rod on the head of the informant and co-accused Krishnandan
Singh snatched Rs.60,000/- from the pocket of the informant.

It is submitted by learned counsel for the



petitioner that the injury report of the informant reflects lacerated injury on the thumb caused by hard and blunt substance and there is a counter version of the occurrence also.

It is submitted by learned counsel for the informant that the assault was made with intention to kill the informant and in a case under Section 307 IPC the intention actually matters and not the actual injury. At earlier point of time the informant lodged case against petitioner and to pressurize the witnesses the assault was made.

Considering the fact that the accusation is not being corroborated by the medical opinion as the accusation is of assault by sharp cutting weapon whereas the lacerated injury caused by hard and blunt substance has been found by the doctor and there is a counter version of the occurrence also, let the above named 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 learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil P.S. Case No. 23 of 2015.

(Dinesh Kumar Singh, J)

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