

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13571 of 2015

Arising Out of PS.Case No. -314 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Dinesh Prasad Yadav Son of Late Shiv Prasad Yadav resident of Mohalla - Laliyahi, Police Station - Katihar Sahayak, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Md. Arif(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,307,504 and 379/34 of the Indian Penal Code.

The accusation is of assaulting the son of the informant with iron rod.

It is submitted by the learned counsel for the petitioner that the injury has been found to be lacerated, marginal in size and superficial in nature. The injury report does not corroborate the accusation as the accusation is of assault by several persons. It is further submitted that the petitioner happens to be the nephew of the informant. The learned Sessions Judge has committed error of record by recording that the accusation of assault is against the

petitioner. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 314 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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