

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40222 of 2015

Arising Out of PS.Case No. -123 Year- 2015 Thana -TARAIYA District- SARAN

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Chandrika Sah Son of Late Moti Sah resident of village - Belhari, P.S.
Taraiyan, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 06-10-2015 Heard learned counsel for the petitioner and the State.

Petitioner is apprehending his arrest in connection with a case registered for the offence under Sections 341, 324, 307, 504, 452 of the Indian Penal Code. He is named in the First Information Report and attributed with the injuries caused to the informant.

It is submitted on behalf of the petitioner that the injuries caused to the informant is simple, which would appear from injury report, Annexure-3, perusal whereof indicates that the same has been granted without obtaining X-ray report. It is further submitted that the informant never made himself available for undergoing X-ray. It is also submitted that there is counter version of the case, fardbeyan whereof was lodged on 25.06.2015 at 4:30

P.M. In the circumstances, it may not be possible for me to conclude at this stage which of the fardbeyan statement is acceptable.

Counsel then submitted that petitioner is old, infirm as from his voter identity card, it will appear that he is about 75 years old and suffered injury vide injury report, Annexure-4.

Let petitioner surrender in the court below within four weeks from the date of receipt/ production of a copy of this order in the court below and apply for bail, if injuries attributed to him vide injury report, Annexure-3 is simple, informant has not subjected himself to X-ray, he be admitted to the privilege of bail on furnishing bail bond, amount whereof shall be fixed by the court below itself, to the satisfaction of Sri Arvind, Judicial Magistrate, Saran, Chapra in connection with Taraiya P.S. Case No. 123 of 2015, otherwise, court below shall pass appropriate order in accordance with law.

Until verification is made in terms of this order, no coercive steps be taken against the petitioner.

(V.N. Sinha, J.)

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