

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51830 of 2015

Arising Out of PS.Case No. -188 Year- 2015 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

=====

Upendra Mahto son of Brahamdeo Mahto, resident of village-Pratap Tand,
P.S.-Bhagwanpur, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Bhagwanpur P.S. Case No.188 of 2015 registered under Sections
307, 324, 394, 504 and 506/34 of the Indian Penal Code.

It is contended that though the alleged occurrence is said
to have taken place on 18.7.2015, the complaint was filed after
two days on 20.7.2015 and there is no explanation for the delay
caused in filing the complaint. The petitioner and the informant
are agnates and next door neighbour. Admittedly, there is on-
going land dispute between the parties and prior to the present
case Bhagwanpur P.S. Case No.174 of 2009 was instituted by co-
accused Manti Devi against the informant and others. It is further

contended that son of the informant, namely, Amit never received any injury on his head and was never examined by any doctor and no injury report is available on the record.

Learned counsel for the State has vehemently opposed the prayer for grant of anticipatory bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioner is directed to 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No.188 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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