

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1079 of 2015

Arising Out of PS.Case No. -394 Year- 2013 Thana -KAHALGAON District- BHAGALPUR

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1. Aman Kumar @ Aman Mandal Son of Late Raghunath Mandal Resident
of Village - Sahpur, P.S. - Ghogha, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-05-2015 The petitioner is apprehending his arrest in connection

with Ghogha (Kahalgaon) P.S.Case No. 394/2013 instituted under

Sections 323, 324, 326, 307 and 34 of the Indian Penal Code.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that while the
informant returning from the house of his friend Chitranjan Das
after feast on 19.09.2013 at 1.30 A.M. and for making water on
the way he stopped at the gate of Taj Bhatta, a boy of Pakki Sarai
came and assaulted him with blade due to which his shirt got torn.
To save his life he ran away, after that 8-10 boys chased him and
again assaulted him with blade cutting the left rib and when the
nephew of the informant came to save him they also assaulted him
by blade causing injury on his right elbow due to which blood

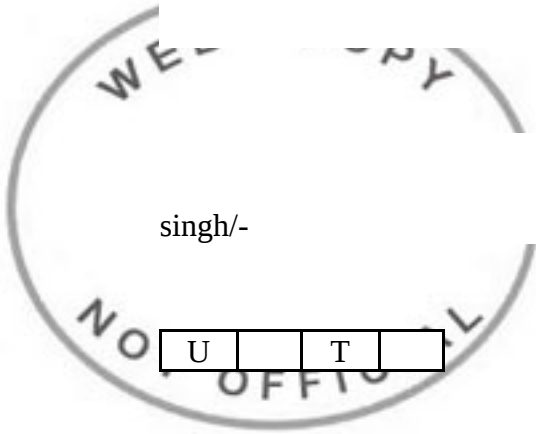
oozed out. It is further alleged that the informant can identify the persons though he does not know the name of the accused persons.

It has been submitted on behalf of the petitioner that he has no criminal antecedent. Further it has been submitted that the petitioner has falsely been implicated in the present case. It has been alleged that the petitioner assaulted and injured by using blade but at the same time it cannot be over looked that the occurrence is said to have taken place at 1.30 in the night, no source of identification in respect of light has been disclosed by the prosecution.

On behalf of the State it has been submitted that the in course of investigation no injury report has been submitted in the present case.

Considering the fact that the alleged occurrence is said to have taken place at 1.30 in the night, no source of identification has been disclosed nor the injury report in the present case is submitted in course of investigation, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of five weeks, 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 Shri Anwar Shamim, Judicial Magistrate, 1st Class at Bhagalpur in connection

with Ghogha (Kahalgaon) P.S.Case No. 394/2013, subject to the
conditions as laid down u/s 438(2) Cr.P.C.



(Sudhir Singh, J)

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