

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42632 of 2015

Arising out of PS.Case No. -216 Year- 2014 Thana -DARIYAPUR District- SARAN

Saroj Sah, son of Bihari Sah, resident of village - Ghurhu Kothiya, P.S. Dariyapur, Distt. Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mithilesh Kumar Arya, Advocate.

For the Opposite Party : Mr. Ram Sumiran Roy (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-11-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 01.07.2015 in connection with Dariyapur P.S. Case No. 216 of 2014 for the offences instituted under Sections 341, 323, 324, 307 and 504/34 of the IPC.

The prosecution story, in brief, is that the petitioner and others assaulted the informant with *Danda* and *Farsa*. When the wife of the informant came to save her husband she was also assaulted as a result of which she sustained injury. The accused persons also assaulted the family members of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in

custody since 01.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner and the informant are the *Gotias*. The petitioner is said to have assaulted Sandhya Devi with *Garasa*. From perusal of the injury report, it appears that the injury has been caused by hard and blunt substance, the same do not support the allegation made in the FIR against the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned J.M. Ist Class, Saran at Chapra, in connection with Dariyapur P.S. Case No. 216 of 2014.

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(Sudhir Singh, J)