

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47584 of 2015

Arising Out of PS.Case No. -115 Year- 2015 Thana -MANIGACHHI District- DARBHANGA

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Dukha Ram, Son of Maksudan Ram, Resident of Village-Najra Mahmada,
Police Station- Manigachhi, District-Darbhanga.

.... 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 AHSANUDDIN
AMANULLAH

ORAL ORDER

2 02-11-2015

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Manigachhi
P.S. Case No. 115 of 2015 dated 14.04.2015 instituted under
Sections 448/341/323/307/504/34 of the Indian Penal Code.

The allegation against the petitioner is of
assault on the nephew and son of the informant.

Learned counsel for the petitioner submits that
the parties are closely related and the incident itself as per the
F.I.R. occurred for a very trivial cause i.e., hot exchange of
words over taking bath at handpump. Learned counsel
submits that the specific allegation of assault by knife is on co-
accused Bablu Ram and the injury report discloses only
lacerated injury of pea size over the abdomen of the son of the
informant. It is further submitted that the petitioner has no
criminal antecedent. Learned counsel draws the attention of

this Court to Annexure-2, which is copy of order dated 10.09.2015 in Cr. Misc. No. 36556 of 2015 by which a co-ordinate Bench of this Court has granted anticipatory bail to the other co-accused Bablu Ram.

Learned A.P.P. submits that there is allegation of assault by the petitioner also but is not in a position to controvert that it is only general and omnibus in nature and the specific allegation of giving knife blow is on co-accused Bablu Ram.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in Manigachhi P.S. Case No.115 of 2015, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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