

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7708 of 2016

Arising Out of PS.Case No. -564 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

1. Munna Yadav @ Munni Lal, son of Sri Ram Chandra Yadav, resident of Mohalla-Moti Tolia, Ara, Police Station- Ara Town in the district of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s Mr. Ram Shankar Das(Spl.PP)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 18.02.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

It would appear from perusal of the first information report that the informant and others were assaulted by the petitioner and others after accident which had taken place with the vehicle of the informant.

The contention on behalf of the petitioner is that no case under section 307 of the Indian Penal Code is made out and so far as application of SC/ST (Prevention of Atrocities) Act and Arms Act is concerned, the same is nothing but only super-addition.

From perusal of annexures 5, 6 and 7, it would appear that opinion regarding injury of the informant and one injured Ganesh Prasad was kept reserved and so far as third injured is concerned, the said injured sustained simple injury.

Injured were examined by doctor on 26.12.2015 and the impugned order was passed on 28.1.2016 but till date of passing the impugned order, prosecution could not succeed to bring any x-ray report and, therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara in Ara Town P.S. Case no. 564/2015.

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(Hemant Kumar Srivastava,J)

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