

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25011 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -AWADPUR District- KATIHAR

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Md. Rafique @ Rafique Son of late Mainuddin Resident of Village- Bariol,
PS Abadpur, District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Dr.Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 20-06-2016

Heard learned counsel for the parties.

The petitioner is apprehending their arrest in a case registered for the offence punishable under sections 341, 323, 307/34 of the Indian Penal Code.

Prosecution case is that co-accused Akhtar caught hold of the informant while the petitioner Rafique assaulted him by iron rod on his head. It is also alleged that other accused persons also caused injury to him.

It is submitted by the learned counsel for the petitioner that for the occurrence taken place on 23.3.2016 at 7.30 P.M. the First Information Report was registered on 27.3.2016 on the written report of the informant. There is no explanation for such delay. The injury report reflects two lacerated wound on the head and one lacerated wound on the left hand of the informant but the

final opinion has not been recorded by the doctor. At earlier point of time the petitioner has also lodged a case against the informant and in retaliation the present case has been lodged against the petitioner. A statement to this effect has been made in paragraph 9 of the petition.

Considering the delay in lodging of the case and the statement in paragraph 9 of the petition that a case was lodged by the petitioner against the informant at the earlier point of time, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within a period of twelve weeks from today, 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 Chief Judicial Magistrate, Katihar in Abadpur P.S.Case No. 30/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Surendra/-

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