

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2629 of 2016

Arising Out of PS.Case No. -95 Year- 2015 Thana -GANGABRIDGE District-
VAISHALI(HAJIPUR)

=====

1. Chandra Shekhar Rai S/o Late Ram Prabash Rai resident of Village-
Karnpura, P.S.- Ganga Bridge, Distt- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 18-01-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections
341,323,324,307 and 379/34 of the Indian Penal Code.

The prosecution case is that co accused Rakesh
Kumar was cutting banana plant of the informant, protest
was made when co accused Akhilesh Rai abused. Rakesh
also abused the informant. It is further alleged that
petitioner assaulted the informant on head with sickle
causing cut injury.

It is submitted by the learned counsel for the

petitioner that the injury of the informant has been found to be simple in nature. Statement to the aforesaid effect has been made in paragraph 10 of the petition the relevant portion of which reads as follows:

“That it is submitted here that the doctor has found simple injury caused by hard and blunt substance.....”

There is counter version of the occurrence where the petitioner also received grievous injury. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No.95 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail will be confirmed if on

verification it is found that the injury sustained by the informant is simple but if it is found that the injury of the informant is grievous then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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