

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3267 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -MADANPURA District- AURANGABAD

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1. Naresh Pal S/o late Rajdeo Pal R/o Vill Patanwa, Ps. Madanpur, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. J.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-01-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 504, 379, 341, 323, 324, 307 of the Indian Penal Code.

The prosecution case is that on 12.09.2015 at 9:00 A.M, the petitioner started abusing the informant and made construction on the disputed land. Thereafter all the six F.I.R named accused persons entered into the house, made assault to the informant and snatched Rs. 80,000/- and titan watch. The accused persons also assaulted the father of the informant causing fracture injury. The accused persons also snatched Rs. 30,000/- of the brother of the informant. The specific accusation of assault with sword is against the petitioner.

It is submitted by learned counsel for the petitioner that accusation is omnibus and general. Though

accusation has been levelled that petitioner caused injury with sword but the son of the petitioner was killed at the hands of the informant leading to registration of Madanpur P.S. Case No. 127 of 2015 and thereafter the present case has been lodged.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the fact that in the instant case the son of the petitioner died and the case of the petitioner was at earlier point of time, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 128 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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