

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5654 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -MORE District- DARBHANGA

Baidyanath Mishra S/o late Ram Sagar Mishra Resident of Village
Madhopur, P.s Mora; District Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party : Mr. Pradip Nr. Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Moro P.S. Case No. 37 of 2015 for the offences instituted
under Sections 341, 323, 324, 504, 307 and 379/34 the Indian
Penal Code.

As per prosecution case, it is alleged that on 27.06.2015
at about 2 P.M. the informant was returning his DUDH factory
and when he reached Kela Bagan of village-Madhopur the
petitioner surrounded with arm and petitioner ordered to kill the
informant with *farsa* on his head and co-accused Satayam Kumar
assaulted with iron rod repeatedly and also snatched Rs.25,000/-
from the pocket of the informant's brother.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case due to land dispute. The alleged occurrence is said to have taken place on 27.06.2015 and the FIR was recorded on 29.06.2015. Delay has not been explained by the prosecution. From perusal of the injury report, it appears that the injuries are simple in nature, hence no offence under Section 307 of the IPC.

On behalf of the State and the counsel for the Informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Moro P.S. Case No. 37 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--