

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7143 of 2016

Arising Out of PS.Case No. -226 Year- 2015 Thana -KASIMBAZAR District- MUNGER

1. Niranjan Mandal son of Late Jageshwar Mandal, resident of Mohalla-Bindwara Nawtoliya, Mandal Tola, Police Station- Kasim Bazar, District-Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. Subhash Chandra Mishra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-02-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 347, 341, 307, 379, 504/34 of the Indian Penal Code.

The prosecution case is that on 24.12.2015 at 4.30 P.M. the petitioner along with Uttam Kumar @ Anuj Bharti, Naresh Mandal, Ravi Kant and 10 unknown persons started abusing the informant. It is further alleged that Uttam Kumar @ Anuj Bharti made indiscriminate firing, but did not cause injury to the informant thereafter petitioner and Naresh caught hold the informant and assaulted with fists and slaps and Ravi Kant snatched Rs. 5,000/- from the pocket of the

informant.

It is submitted by the learned counsel for the petitioner that for the occurrence of 24.12.2015 the First Information Report was registered on 28.12.2015 through a written report submitted by the informant. The accusation of firing is against Uttam Kumar @ Anuj Bharti. It is only alleged that petitioner along with co-accused Naresh Mandal assaulted with fists and slaps to the informant, which apparently does not constitute offence under Section 307 of the Indian Penal Code. The accusation under Section 379 is specific against Ravi Kant. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the case, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 226 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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