

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8168 of 2016

Arising Out of PS.Case No. -105 Year- 2015 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Sukesh Rai @ Sukesh Kumar Son of Sri Yogendra Rai Resident of Village- Naya tola Pakari P.s Biddupur District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amod Kumar Singh

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Biddupur P.S.Case No. 105/2015 registered for offences punishable under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

The prosecution case as lodged by one Sanjay Rai, the informant is that he has four brothers namely, Manoj Rai, Saroj Rai, Sukesh Rai and his father has not made any partition between four brothers. It is further alleged that under the connivance of three brothers, his father sold away some land and money was given to three brothers and further wants to sell some more land upon which the informant has made objection. On this issue altercation took place. It is further alleged that on 03.3.2015 at 2 P.M. his father, namely, Yogendra Rai and three brothers started

criminal act against him and Sukesh gave garasa blow on his head due to which his right side head was cut and blood was coming upon which Rekha Devi, wife of informant came for rescue then they have assaulted her and snatched gold chain from her neck. They had intention to kill him.

Learned counsel for the petitioner submits that the informant is own brother of the petitioner and there was a partition dispute between the petitioner along with the informant and his other two brothers. The injury on the informant has been found to be simple in nature. There is no criminal antecedent, which finds place at para-3 of this petition.

Learned counsel appearing on behalf of the state opposes the prayer for bail.

Be that as it may, let the above named petitioner, in the event of his arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M. Vaishali at Hajipur in connection with Bidupur P.S. Case No. 105/2015, subject to the conditions laid down under Section 438 (2) Cr.P.C.

(Nilu Agrawal, J)

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