

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7700 of 2016

Arising Out of PS.Case No. -305 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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Hasmullah Mian, son of Hussaini Mian, resident of Bahuarwa, P.S.-
Jogapatti, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 28-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

 This application for grant of anticipatory bail arises out
of Yogapatti (Shankhni) P.S.Case No. 305/2015, disclosing
offences under sections 341, 323, 324. 325, 307, 379, 504/34 of
the Indian Penal Code.

 The petitioner and the informant are agnates. It seems
that occurrence, if any, took place after an altercation between the
families of the informant and the petitioner over some petty
dispute. It is alleged against the petitioner that he assaulted the
informant with an axe on his head.

 Learned counsel for the petitioner submits that the

allegation to this effect is falsified by the injury report, where the injury upon the informant has been found to be simple in nature caused by hard and blunt substance. The petitioner has no criminal antecedent as stated in paragraph 3 of the application.

Considering the nature of accusation and the dispute between the parties, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri B.K.Roy, A.C.J.M.IV, Bettiah, West Champaran in Yogapatti (Sanichari) P.S.Case No. 305/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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