

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7969 of 2016

Arising Out of PS.Case No. -251 Year- 2015 Thana -BANIYAPUR District- SARAN

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Raghuvansh Mahto @ Raghubansh Mahto @ Nanhku Son of Ramdarash
Mahto Resident of Village-Pandeypur, Police Station - Baniyapur, District
Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Awadhesh Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 08-04-2016 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 Baniyapur P.S.Case No. 251/2015, disclosing offences under
sections 341, 504, 307, 379 and 34 of the Indian Penal Code.

 Learned counsel for the petitioner submits that there is
allegation against him of assaulting the informant with an axe on
his head causing serious injuries.

 A supplementary affidavit has been filed on behalf of the
petitioner bringing on record the injury report on medical
examination of the informant, which shows that the injuries have
been found to be simple in nature caused by hard and blunt

substance.

Learned counsel for the petitioner submits that the case, as narrated in the First Information Report, thus, stands falsified in view of the medical report.

Considering the aforesaid submission, 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 R.K.Yadav, Judicial Magistrate, 1st Class, Chapra in Baniyapur P.S.Case No. 251/2015, 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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