

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14637 of 2016

Arising Out of PS.Case No. -102 Year- 2015 Thana -KAUAKOL District- NAWADA

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1. Shankar Kumar Son of Sri Arjun Kishwaha Resident of Village- Bandaili
Khurd, PS Kawakole, District Nawada Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 22-04-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Kawakole (Rupau) Police Station Case No. 102
of 2015, disclosing offences under Sections 341, 323, 307,
504/34 of the Indian Penal Code.

The petitioner is said to be the driver of a
Scorpio vehicle, owned by the co-accused Chandan Paswan.
Allegedly, he assaulted the informant's brother-in-law with
an iron road.

Learned Counsel for the petitioner has
submitted that no motive has been assigned in the First
Information Report for the said occurrence. He further
submits that the alleged injured was referred to the doctor
for examination mentioning three injuries. All such injuries
have been found to be simple by the doctor in the injury

report, but a fourth injury of dislocation of left knee joint has been described as grievous injury, caused by hard and blunt substance. He contends that in any view, no offence under Section 307 of the Indian Penal Code is made out against the petitioner.

Considering the submission, as above, this application is allowed.

Let the petitioner, Shankar Kumar, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Nawada, in connection with Kawakole (Rupau) Police Station Case No. 102 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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 bond shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J.)

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