

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20513 of 2016

Arising Out of PS.Case No. -444 Year- 2015 Thana -MASAURHI District- PATNA

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Vivek Kumar, S/o Sunil Kumar, Resident of Prem Raod, Lakhibagh, P.S. Massaurhi, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Gupta

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 12-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 354, 325 and 307 of the Indian Penal Code.

The prosecution case is that on 30.11.2015 at 5.30 A.M. the daughter of the informant was going to attend some coaching classes when three persons came on motorcycle and one of them assaulted on her head with wicket of the cricket. The victim girl identified two of them who were on the motorcycle but failed to identify third one.

It is submitted by learned counsel for the petitioner that even assuming the statement of the victim girl it

has not been ascertained who actually made assault to the victim girl. The injury report reflects marginal size simple injury caused by hard and blunt substance.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the victim girl has not stated who actually out of three assaulted her and the nature of injury being caused, let the above named petitioner be released on anticipatory bail, in the event of 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 Sub-divisional Judicial Magistrate, Masaurhi in connection with Masaurhi P.S. Case No. 444 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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