

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14516 of 2016

Arising Out of PS.Case No. -211 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

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Suresh Singh son of Late Ram Chandra Singh Resident of village- Barahia
Tola Dhanraj Ward No. 9, P.S.- Barahia, District- Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sahja Nand Sharma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-Ii(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-04-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Barahia P.S. Case No. 211/15 for offences alleged under Sections
341, 323, 379, 307, 427/34 of the Indian Penal Code and under
Section 27 of the Arms Act.

The prosecution case, as lodged by the informant,
is that the petitioner and other accused persons variously armed
with weapon entered the house of the informant, petitioner gave
sword blow to the brother of the informant and took away
briefcase from his house in which golden ornaments, cloths and
sarees were kept.

It has been submitted by the learned counsel for
the petitioner that he is innocent, no case under Section 307 I.P.C.
is made out against him and he has no criminal antecedent, as is

evident from paragraph 3 of this application. It has further been submitted that there is a land dispute between the parties, who are agnates and the brother of the petitioner filed a counter-case against the informant's side bearing Barahia P.S. Case No. 171/15 under similar Sections of the Indian Penal Code. Furthermore, it has been submitted that the injury found on the brother of the informant Naga Singh is simple in nature as per injury report and the matter arises out of civil dispute.

However, learned APP for the State submits that the petitioner is named in the First Information Report and opposes the prayer for bail.

Be that as it may, let petitioner, above named, 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Barahia P.S. Case No. 211/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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