

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17459 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Shashi Chandra Bose @ Mukul S/o Kailash Prasad Singh, resident of
village- Murliyachak, P.S.- Hajipur Sadar, District- Vaishali at Hajipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 25-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
341,323,504,506,508,379 and 385/34 of the Indian Penal Code.

The prosecution case is that on 5.1.2016 at 7 P.M. while
the informant Pramod Singh was sitting at the door of Mukesh
Singh, the accused persons including the petitioner and three four
unknown persons came on motorcycle. The petitioner restrained
the informant by putting pistol over his temporal region and
threatened to shoot. In the meantime, co accused Subhash
Chandra Bose alias Chutul gave iron rod blow on the head of the
informant. Co accused Bacha Chandra Bose alias Chandan put

knife on the abdomen and abused, thereafter all the accused persons assaulted with fists and slaps. Co accused Kailash Prasad Singh put a sickle on the neck, threatened to cut and snatched rupees two thousand from the informant.

It is submitted by the learned counsel for the petitioner that the accusation has been levelled in the background of pending Title Suit No. 620 of 2014 between the parties. At earlier point of time two criminal cases being Hajipur Sadar P.S. Case No. 37 of 2014 and Complaint Case No. 4036 of 2015 were filed against the informant by petitioner side. Admittedly, the petitioner has not caused any injury though none have received injury from the informant side. Statement to that effect has been made in paragraph 7 of the petition, relevant portion of which reads as follows:

“.....but not a single injury has been found to the informant.”

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

Considering the accusation being levelled in the background of pending title suit, the petitioner having no criminal antecedent and admittedly the petitioner has not caused any injury, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Sadar (Hajipur) P.S. Case No.28 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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