

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17637 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -GARDANIBAGH District- PATNA

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1. Harshvardhan @ Nikku Son of Sri Anangesh Prasad Singh resident of
village- Brahmpur, Police Station- Phulwari Sharif, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar & Prem Ranjan
Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Gardanibagh P.S.Case No. 31/2016 registered for offences
punishable under Section 341, 323, 325, 308, 384, 427 and 34 of
the Indian Penal Code.

The prosecution case, as lodged by the informant is
that on 09.02.2016 at about 7 P.M., 15-20 boys surrounded and
assaulted him by means of rod and danda and damaged his
motorcycle, when he was going to his shop situated at Chitkohra
Punjabi Colony from his house as a result of which he became
unconscious.

It has been submitted by the learned counsel for the
petitioner that he has been named along with other co-accused,
Ashish Kumar @ Ashish Raj, who has since been granted the

privilege of bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 14753 of 2016 dated 08.04.2016. The allegations are general and omnibus and injury Nos. 1 and 3 being simple in nature and injury No. 2 on the right hand, where the opinion has been reserved. It has further been submitted that the petitioner is a student of B.A. and Section 308 of the I.P.C. is not attracted.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, let the above named petitioner 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 bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Shri Manoj Kumar, Vth Judicial Magistrate, 1st class, Patna in connection with Gardanibagh P.S.Case No. 31/2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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