

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20527 of 2016

Arising out of PS.Case No. -13 Year- 2016 Thana -SANHOLA District- BHAGALPUR

Md. Mursheed, son of Md. Shada, resident of village- Sanhoula, P.S. Sanhoula, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate.
For the Opposite Party : Mr. Ashok Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-06-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Sanhoulla P.S. Case No. 13 of 2016, G.R. No. 408 of 2016 for the offences instituted under Sections 341, 323, 308, 354(A) and 504/34 of the IPC.

The prosecution story, in brief, is that on 06.02.2016 there was an altercation between the parties over the washing of clothes then the accused persons assaulted to Asha Devi and when the wife of the informant, namely, Dulari Devi, came to rescue her then the accused persons assaulted her and this petitioner also assaulted her with iron rod as a result of which the wife of the informant sustained injury on the head and fell down then accused persons abused and assaulted her.

It has been submitted on behalf of the petitioner that the

petitioner has falsely been implicated in the present case. The alleged occurrence is said to have taken place due to a petty reason. Though there is allegation that Asha Devi who is said to have been abused by the petitioner, but from perusal of the case diary, it is evident that the said victim has not been examined by the Investigating Officer, which casts serious doubt upon the prosecution. As far as injury of Dulari Devi is concerned, from perusal of the injury report, it is apparent that the nature of injury is simple.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Sanhoulla P.S. Case No. 13/2016, G.R. No. 408 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., IV, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)