

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33105 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -KHAIRA District- JAMUI

1. Benju Singh @ Munna Kumar Singh, S/o Jhari Singh,
Resident of Parsa, P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

Mr. Raj Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

4 22-09-2016 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned
counsel for the informant.

This application, for grant of anticipatory bail,
arises out of Khaira P.S. Case No. 70 of 2016, disclosing
offences under Sections 341, 323, 307, 504 and 506/34 of
the Indian Penal Code.

The petitioner is alleged to have assaulted the
informant with a cricket bat on his head. Other accused
persons are also said to have assaulted him, whereafter he

had become unconscious. The occurrence is alleged to have taken place on 20.03.2016. It is also alleged in the First Information Report that when the informant regained consciousness, he found himself in a hospital and thereafter he was referred to Patna for further treatment. The First Information Report came to be registered on 03.04.2016.

It appears from the First Information Report that the occurrence had taken place over some petty dispute after the children of two families had picked up some quarrel.

Learned counsel for the informant, while opposing the prayer for anticipatory bail, has submitted that there is justifiable reason, as is evident from the First Information Report, which caused delay in lodging of the First Information Report. However, the said submission cannot be accepted to deny the benefit of anticipatory bail.

Considering the submission, as above, and the fact that the petitioner has no criminal antecedent, as stated in paragraph 3 of the application, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief**

Judicial Magistrate, Jamui, in connection with **Khaira P.S. Case No. 70 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner, above named, shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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