

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47344 of 2016**

Arising Out of PS.Case No. -558 Year- 2016 Thana -SAHARSA District- SAHARSA

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1. Amar Kumar Thakur @ Amar Thakur Son of Bahadur Thakur Resident  
of Village- Kharagpur, P.S.- Sonbarsa Kachahari, District- Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Subesh Sharma, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

3      28-11-2016      Heard both sides.

The petitioner prays for bail in connection with Saharsa Sadar P.S. Case No. 558 of 2016, registered under Sections 341, 323, 337, 338, 504, 506, and 379/34 of the IPC with an allegation that on quarrel petitioner assaulted the wife of the informant with iron rod.

Learned counsel for the petitioner submits that the injury was not found grievous. Actually, it is counter blast of other case lodged by the wife of co- accused Bahadur Thakur (Annexure-2) with respect to the occurrence of the same day. The police, upon conclusion of investigation, did not find it to be a case under Section 307 of the IPC. Petitioner is in custody since 19.07.2016 having no criminal antecedents.

Learned APP on going through the record has not disputed the contention that the injury caused to the wife of the informant was not ever opined to be grievous in nature.

Considering the above, this Court is inclined to enlarge the petitioner on bail. Let the petitioner, named above, 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 the learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case no. 558 of 2016, subject to the following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

**(Kishore Kumar Mandal, J)**

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