

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43096 of 2016

Arising Out of PS.Case No. -274 Year- 2016 Thana -KANTI District- MUZAFFARPUR

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Birendra Rai @ Virendra Rai son of Pramanand Rai resident of Village-
Harchandra, P.S.- Kanti (O.P.- Panapur Kariyat), District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Neeraj Kumar Alias Sanidh, Advocate

For the Opposite Party : Smt. Sahin Begam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-11-2016 Heard the learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 22.07.2016 in connection with Kanti P.S.Case No.274 of 2016 registered for offences punishable under Section 307 and other allied Sections of the Indian Penal Code.

The prosecution case is that while the informant was returning from his ancessatorial land after cutting bamboo, in the meantime, all the accused persons began to abuse him and when his wife came to save him, she was also assaulted by the accused persons and the ear-ring of the informant's wife worth Rs.8,000/- was also taken away by accused Runa Devi.

It has been submitted by the learned counsel for the

petitioner that the allegation of inflicting *garasi* blow on the head of the informant is against one Runa Devi and from the perusal of the case diary, no injury report has been found to have been caused by the petitioner either on the informant or his wife, as such, no case under Section 307 of the Indian Penal Code is made out against him.

Learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Be that as it may, since from the materials on record as well as the case diary does not warrant that further detention of the petitioner would adversely affect the trial, let the above named petitioner be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM (West) at Muzaffarpur in connection with Kanti P.S.Case No.274 of 2016.

(Nilu Agrawal, J)

Brajesh Kr./-

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