

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48377 of 2015

Arising Out of PS.Case No. -214 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

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1. Akhilesh Rai Son of Rajendra Rai, Resident of Village - Rakhand, P.S. - Goraul, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-02-2016

Learned counsel for the petitioner is permitted to make necessary correction in paragraph No.3 of the petition in the course of the day.

Heard learned counsel for the petitioner and the State as also learned counsel for the informant.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323, 325, 307, 379, 504 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the petitioner assaulted the informant with garasa on back side upon the neck due to which head and neck of the informant became injured with bleeding. Thereafter co-accused Rajendra Rai gave blow of sharp Hasuli on account of which left hand and index finger were cut. It is further alleged that the accused persons snatched away Rs.5000/- and golden chain from the wife of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and he has falsely been implicated in the present case. The alleged occurrence is said to have taken place on 20.06.2015 but the case was instituted on 25.6.2015, for which no explanation has been made on behalf of the prosecution. From the perusal of Annexure-2, it appears that all the injuries are simple in nature. There is admitted land dispute between the parties.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the first information report and he has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 214 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

V.P.Sinha/-

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