

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28025 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

Chandan Kumar son of Shiv Sah, Residents of Village- Sirauna, Police
Station- Shikarganj (Chiraiya), District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Sri Subhash Chandra Mishra

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-07-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the brother of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 325, 498A, 354 and 504/34 of the Indian Penal Code.

The accusation against the petitioner is that he used to outrage the modesty of the wife of the informant and due to assault she received fracture injury.

It is submitted by learned counsel for the petitioner that in the background of share dispute, the accusation has been levelled and there is nothing on record to suggest that any fracture injury was caused to the wife of the informant, though, statement to that effect has not been made in the petition.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahna, Dhaka, East Champaran at Motihari in connection with Chirariya (Shikarganj) P.S. Case No. 70 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below examine from record with regard to the injury caused to the wife of the informant and if it is found that the wife of the informant has not received any fracture injury then the provisional bail of the petitioner will be confirmed but if it is found that the wife of the informant received fracture injury then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--