

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33600 of 2016

Arising Out of PS.Case No. -75 Year- 2016 Thana -KHIJARSARAI District- GAYA

1. Kaju Singh Son of Uttam Singh Resident of Village- Uchauli, Police Station- Khizer Sarai, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner as well as learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 147, 148, 149, 323, 353, 332, 307 and 171 © of the I.P.C. and section 27 of the Arms Act.

On behalf of the petitioner it is submitted that the petitioner was not arrested at the spot, he has been named on the basis of the information furnished by the chaukidar, as a matter of fact the informant and other police personnel were helping one of the candidate at the time of election which was opposed by the villagers resulting altercation and 14 villagers were arrested, whereas, 5-6 including petitioners were named and 50 unknown

have also been implicated in this case, against the petitioner there is no specific allegation and as such the petitioner deserves sympathetic consideration, the injured Bipin Kumar has received simple injury and that is not on the vital part of the body.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the petitioner was not caught at the spot, no arms and ammunicions have been recovered from his possession and further the injured has received simple injury and that is also not on the vital part of the body and as such the petitioner in case of his arrest or surrender within one month from the date of receipt/production of a copy of this order shall 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. A.C.J.M.- III, Gaya in Khizer Sarai P.S. Case No. 75 of 2016, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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