

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34367 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -DEORIYA District- MUZAFFARPUR

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Bihari Kumar, Son of Shri Makeshwar Sah, Resident of Village- Dharfari,
P.S Deoriya, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. A. K. Thakur,
Mr. Ravi Ranjan, Advocates

For the State : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 16-09-2016 I have heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in a case registered for offences punishable under Sections 341, 323, 324, 325, 379 and 504/34 of the Indian Penal Code and later on Section 302 of the I.P.C. was also added.

As per the allegation set up in the first information report, there is specific allegation of assault on the husband of the informant is upon co-accused Dashrath Sah and so far the informant is concerned, there is specific allegation of assault upon the co-accused, Ramashray Sah. So far as the petitioner is concerned, there is general and omnibus allegation of abusing and against all the accused persons of assaulting Babita Devi and

Maheshi Devi. It has been stated in the affidavit filed by the petitioner that there is no medical report with respect to the Babita Devi and Maheshi Devi showing any injury upon them. So far the deceased is concerned, there is specific allegation as stated above against Dashrath Sah and even there is no general and omnibus allegation against the petitioner of assaulting the deceased.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Deoriya P.S. Case No. 23 of 2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Muzaffarpur subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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