

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29150 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

Jathu Paswan son of Late Dwarika Paswan Residents of Village- Pathra,
P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-08-2016

Heard learned counsel, appearing on behalf of the
petitioner, and the learned Additional Public Prosecutor,
appearing on behalf of the State.

This application for grant of anticipatory bail arises
out of Makhdumpur P.S. Case No. 95/2016, disclosing offences
under Sections 147, 148, 149, 341, 323, 447, 307. 379 of the
Indian Penal Code.

From the First Information Report it appears that in
course of measuring of land by the Government Amin, certain
altercation took place between two rival groups. The petitioner
is said to have assaulted the son of the informant with an iron
rod on his head.

Learned counsel for the petitioner has submitted that
no offence under section 307 of the Indian Penal Code is made

out as there is no allegation of repetition of blow on the head of the son of the informant. He has further submitted that the injury on the head of the son of the informant has been found to be simple in nature.

Considering the genesis of occurrence and nature of accusation, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S.Case No. 95/2016, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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