IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41967 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -PAHARPUR District- EASTCHAMPARAN (MOTIHARI)

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1. Saheb Kumar, son of Late Shambhu Prasad, Resident of Village- North Noneya, Navranga Tola, Police Station- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar No.-7
For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-09-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Paharpur P.S. Case No. 45 of 2016, disclosing offences under Sections 341, 323, 324, 307, 379, 447, 448, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that he has no criminal antecedent and because of personal dispute, a false case has been lodged, making incorrect allegations. He has submitted that though there is allegation against the petitioner of causing assault with *farsa*, on the

head of the informant, the injuries have been found to be simple in nature. It has also been submitted that there is no allegation of repetition of blow in the First Information Report and in the absence of such allegation, no offence, under Section 307 of the Indian Penal Code, is made out against the petitioner.

Considering the submission, as above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Motihari, East Champaran**, in connection with **Paharpur P.S. Case No. 45 of 2016**, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-c

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