

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55109 of 2015

Arising Out of PS.Case No. -59 Year- 2015 Thana -SINGHIYA District- SAMASTIPUR

Jagarnath Kamati son of Baiju Kamati resident of village- Phulhara, P.S.-
Singhia, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-02-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 147, 447, 341, 323, 325, 308, 354, 380 and 504 of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused persons assaulted informant. When her husband came to rescue her, he was also assaulted by the accused persons. It is alleged that silver and golden jewelleryes were also taken away by the accused persons.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. Petitioner is the agnate of the informant. There are no repeated blows alleged against the petitioner. Hence, no offence under Section 308 of the Indian Penal Code is attracted in the present case. There is admitted land dispute between the parties.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the

court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur, in connection with Singhia P.S. Case no. 59 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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