

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40510 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -KATRAHA District- VAISHALI(HAJIPUR)

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Awadhesh Rai @ Awadhesh Kumar, Son of Rajendra Rai, Resident of
Village Ramnagar Tola, Police Station- Kartahan District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Chaubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 24-10-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Kartahan P.S. Case No. 29 of 2016, disclosing offences under
Sections 341, 324, 307, 379, 504 and 506 of the Indian Penal
Code.

Learned counsel for the petitioner has submitted that
though there is allegation against the petitioner of giving a blow
with *Daab* on the head of the informant, the allegation is falsified
by the injury report wherein the injury has been found to have
been caused by hard and blunt substance. She has also submitted
that strictly speaking no offence under Section 307 of the Indian
Penal Code is made out in view of the injury report and the fact

that there is no allegation of repetition of the blow.

Considering the submissions 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 5th, Vaishali at Hajipur in connection with Kartahan P.S. Case No. 29 of 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)

Vats/-c

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