

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40524 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -BIHTA District- PATNA

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Ram Pravesh Yadav Son of late Chandrajeet Yadav, Resident of Village-
Doghra, Police station - Bihta, District Patna. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 22-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bihta P.S. Case No. 67 of 2016, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 307, 354, 504, 337, 448 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the First Information Report that F.I.R. named accused persons including the present petitioner, over some land dispute, came variously armed on the informant's land and accused Pappu Yadav started opening fire with his licensed gun. It is alleged against the petitioner that he assaulted the informant with iron rod on his head leading to injury. It is also alleged that other persons also assaulted the informant's aunt.

Learned counsel appearing on behalf of the petitioner has submitted that lodging of the First Information Report is in retaliation to previous First Information Report, lodged by the

petitioner being Bihta P.S. Case No. 66 of 2016. He has also submitted that injury on the informant has been found to be simple in nature and no offence under Section 307 of the Indian Penal Code is made out on the basis of what has been alleged in the First Information Report.

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, Danapur, Patna in connection with Bihta P.S. Case No. 67 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/-

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