

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27175 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -JAHANABAD District- JEHANABAD

Mintu Sao Son of Dukhit Sao Resident of village - Badhar, P.S. Jehanabad,
District - Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-07-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 323,
341, 307, 379 and 504/34 of the Indian Penal Code.

The prosecution case is that on 31.01.2016
at 9.00 A.M. co-accused Puniya Devi started abusing the wife of
the informant. On protest being made on the order of co-accused
Bhulan Sao his brother Mintu Sao petitioner assaulted with
spade on the head of the informant when his wife came to rescue
then she was assaulting by catching hold of her hair and pressing
neck and co-accused Bhulan Sao snatched gold chain from the
neck of the wife of the informant.

It is submitted by learned counsel for the petitioner that for a petty dispute the accusation has been levelled. There is no accusation of repeating the blow and only one lacerated injury simple in nature caused by hard and blunt substance has been found when the accusation of assault is by sharp cutting weapon like spade. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation being not corroborated with medical opinion, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Kalpa) P.S. Case No. 51 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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