

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10534 of 2016

Arising Out of PS.Case No. -356 Year- 2015 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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Bijay Gope @ Bijay Kumar Yadav S/o Kapildeo Yadav, resident of
village- Korai, P.S.- Deepnagar, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate
For the Opposite Party : Mr. Nand Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner, learned counsel
for the Informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Deep Nagar P.S. Case No. 356 of 2015 for the offences
instituted under Sections 341, 323, 325, 307 and 504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, while the informant was
returning after seeing his land and pillar, the petitioner and other
accused persons started putting pressure for getting compromise
with the uncle and aunt of the informant with the accused and
when the informant made protest, this petitioner assaulted by
means of *lathi* and pistol on his head as a result of which he
sustained rupture bleeding injury on his head.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is admitted land dispute between the parties. From perusal of injury report, it is evident that the nature of injuries are simple, hence, no offence under Section 307 of the IPC is made out.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Deep Nagar P.S. Case No. 356 of 2015 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri R.K.Dwivedi, Judicial Magistrate, Ist Class, Biharsharif, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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