

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18160 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -DURAULI District- SIWAN

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Upendra Singh, Son of Late Satyendra Narayan Singh, resident of Village-
Karom P.S.- Darauli, Distt.- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Jha, Sr.advocate.

For the Informant : Mr.Raghav Prasad.

For the Opposite Party/s : Mr. Umesh Lal Verma (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 01-07-2016

Heard learned Senior counsel for the petitioner as well as learned Additional Public Prosecutor for the State assisted by the learned counsel for the informant.

The petitioner is apprehending his arrest in Darauli P.S. Case No.4 of 2016 for the offences under Sections 341, 323, 324, 307, 504/34 of the I.P.C.

The case diary in the present case which was called for has since been received.

Learned Senior counsel appearing on behalf of the petitioner submits that there is case and counter case having injuries on both sides. He further submits that the petitioner has also sustained injuries though it is alleged that the petitioner had also given a dabiya blow on the head of the informant as a result



of which he sustained injuries. There was no intervening circumstance to prevent the petitioner from completing the Act. It is further submitted that the occurrence took place at spur of a moment which has also been indicated in the F.I.R. Learned counsel for the petitioner also drew my attention to the fact that the petitioner is a class III employee of Baba Bhim Rao Ambedkar University, Muzaffarpur, and, therefore, he will not tamper with the evidence and would not abscond. It is also submitted that at all material times the petitioner will cooperate with investigation and as and when he is required during course of trial and he will make himself available before the court below on each and every day during course of the trial.

Considering the nature of case and counter case and also the fact that the petitioner is an employee of Class –III employee of the B.V.Ambedkar University, the petitioner, above, named, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M.,Siwan, in Darauli P.S.Case No.4 of 2016 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

It is made clear that if the petitioner does not

cooperate in investigation or fails to attend the court on two consecutive dates, it shall be open to the court below to take appropriate action for cancellation of bail in accordance with law.

(Anjana Mishra, J)

AnilKrSinha/-

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