

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34210 of 2016

Arising Out of PS.Case No. -237 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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1. Digree Yadav @ Digree Singh Son of Rajaram Singh @ Rajaram Yadav
resident of Village- Semraon, Police Station- Charpokhari in the District of
Bhojpur.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar
For the Opposite Party/s Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 19.08.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State assisted by learned counsel for
the informant.

Petitioner seeks bail in a case registered under section 302
and other allied sections of the Indian Penal Code.

Petitioner is named in the first information report and it is
alleged that he gave farsa blow causing head to the informant.

No doubt, one person died in the present occurrence but
according to the prosecution case itself, other accused had assaulted
the deceased. So far as the petitioner is concerned, petitioner has also
lodged Charpokhari P.S. Case no. 238/2015 against the prosecution
party and the petitioner appears to have sustained injury in the
aforesaid occurrence. The aforesaid fact goes to show that free fight
took place between the parties due to dispute of a passage.

Informant appears to have sustained four injuries on his skull and doctor opined that the aforesaid injuries were serious in nature.

However, learned counsel for the informant submits that anticipatory bail petition of the petitioner was rejected by a coordinate bench of this court and while rejecting prayer for anticipatory bail of the petitioner, coordinate bench of this court found that injuries of the informant were grievous in nature.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that the petitioner is in jail custody since 25.5.2016, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Bhojpur at Ara in Charpokhari P.S. Case no. 237/2015.

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(Hemant Kumar Srivastava,J)

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