

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26470 of 2016

Arising Out of PS.Case No. -68 Year- 2013 Thana -AURANGABAD TOWN District-
AURANGABAD

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Anantu Pandey @ Bose Pandey, son of Shambhu Pandey, resident of
Village- Pisay, P.S- Khudwan, District- Aurangabad.

... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 18.04.2016 in
connection with Aurangabad Town P.S. Case No. 68 of 2013
registered for offences under Sections 341,323,307 and 379/34 of
the Indian Penal Code.

The prosecution story, in brief, is that on 13.02.2013 at 9.00
P.M. while informant was going to the resident of his brother,
situated at Brahamarshi Chowk having Rs. 15,000/- with him, as
soon as he reached near the khatal situated at south of Durga
Mardap, the Khatal Malik, one Ravi Pandey, Bose Pandey and the
petitioner along with two unknown persons in conspiracy with
each other restrained him in the way, assaulted him by kicks and
fists and this petitioner assaulted him by knife causing injury near
his eye and taken Rs. 15,000/- from his pocket. It is specifically

alleged that this petitioner assaulted the informant by knife causing injury near his eye and also taken Rs. 15,000/-.

On behalf of the petitioner it is submitted that the petitioner is in custody since 18.04.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. The police has submitted final form in the present case. The injury is simple in nature and no offence under Section 307 IPC is made out against the petitioner. He has been made accused in the present case due to mistake of fact. There is no recovery of any incriminating articles from the possession of the petitioner.

On behalf of the State, 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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Town P.S. Case No. 68 of 2013.

(Sudhir Singh, J)

Prakash/-

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