

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37408 of 2016

Arising Out of PS.Case No. -399 Year- 2016 Thana -KATIHAR District- KATIHAR

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Pappu Ansari @ Md. Pappu, S/o Halim Ansari, R/o-Chaudhary Muhalla,
P.S.- Katihar, District-Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party : Smt. Sharda Kumari (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends arrest in connection with
Katihar Sadar Nagar P.S. Case No. 399 of 2016 for offences
alleged under Sections 341, 342, 323, 307, 504, 506/34 of the
Indian Penal Code.

The prosecution case is that on 14.06.2016 at Ward
No.27 election was going on. Informant was returning after
leaving his sister at coaching centre. In the mean time, accused
persons asked him from where he was coming thereafter petitioner
and other co-accused started assaulting him after throwing him on
the ground.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has not committed any offence.

He submits that there was a Ward election going on and some altercation took place between the parties for which the informant sustained injuries. He submits that no case under Section 307 I.P.C is made out against the petitioner as the injuries have been found to be simple in nature and that the petitioner has no criminal history as is evident from para-3 of this application.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the injury has been found to be simple in nature and that the petitioner has no criminal history, let petitioner, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Katihar, in connection with Katihar Sadar Nagar P.S. Case No. 399 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

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