

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41432 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -SAMASTIPUR District- SAMASTIPUR

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1. Sanjay Kumar Sinha @ Pappu Son of late Bhumeswar Prasad Sinha
Resident of Tajpur Road Azad Chowk, Ward No. 4 P.S. Samastipur town
District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-12-2016 Heard both sides.

The petitioner apprehends his arrest in Samastipur
Town P.S. case No. 122 of 2016 under Section 307 and other
Sections of the Indian Penal Code.

The informant, Meena Devi, named the petitioner
along with other accused persons and alleged that the petitioner,
her brother-in-law, assaulted her with Katta (a sharp edged
weapon) on her head and she fell down on the ground.

The learned counsel for the petitioner submits that
the case diary was called for but the doctor did not find any injury
on the person of the informant, Meena Devi. No offence under
Section 307 of the IPC is made out. A Title Suit No. 101 of 2011



is also pending between the parties and on account of which the informant lodged this false case without any injury. The daughter of the informant also got simple injury.

It appears that the I.O. brought the injury report in paragraph 34 of the case diary in which it is stated that no injury was found on the body of informant, Meena Devi.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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, Samastipur in Samastipur Town P.S. Case No. 122 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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