

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27049 of 2016

Arising Out of PS.Case No. -440 Year- 2015 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

Vinay Kumar son of Ram Bharosh Paswan resident of Village- Daudnagar,
P.S.- Bidupur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Sri Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-07-2016

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under sections 341, 323, 307, 385 of the Indian Penal Code.

Prosecution case is that on 28.9.2015 at 1.30 PM the informant went to construct the house on his purchased land when Ram Bharosh Paswan demanded Rs.50,000/- as extortion. On refusal of the same, on the order of Ram Bharosh Paswan the petitioner being his son assaulted with iron rod on the head of the informant causing injury.

It is submitted by the learned counsel for the petitioner that the petitioner's father is an adjacent raiyat and with regard to the dispute of boundary wall hot exchange took place. There is no accusation of repetition of blow and the injury found on the

lateral side of right eye brow is simple in nature caused by hard and blunt substance. Statement has been made in paragraph 3 of the application that the petitioner has no criminal antecedent. Hence, the case does not come within the purview of section 307 of the Indian Penal Code.

Considering the aforesaid facts, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within a period of twelve 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 the Chief Judicial Magistrate, Vaishali at Hajipur in Bidupur P.S.Case No. 440/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Surendra/-

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