

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3304 of 2016

Arising Out of PS.Case No. -183 Year- 2015 Thana -HISUA District- NAWADA

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Bhola Prasad son of Late Tulsi Prasad

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan

For the Opposite Party/s : Mr. Khurshid Anwar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 325, 504/34 of the Indian Penal Code.

Prosecution case is that the petitioner along with co-accused Vikash Kumar, Manish Kumar and Prakash Kumar came to the shop of the informant, abused and made assault.

It is submitted by learned counsel for the petitioner that accusation of assault is by four persons but only one abrasion on the scalp of marginal size simple in nature and other swelling on the left scalp phalanx of middle finger was found fracture was located after X-ray but it is difficult to ascertain that, who caused the said injury. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. The son of

the petitioner lodged Hisua P.S. Case No.184/2015 against the informant levelling accusation under sections 341, 323, 324, 384, 504, 379, 506/34 of the Indian Penal Code wherein the petitioners have also received injuries.

Considering the accusation being not corroborated with the medical opinion and there is counter version of the occurrence, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Hisua P.S. Case No.183/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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