

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11089 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -LADANIA District- MADHUBANI

1. Shahabuddin @ Munna Ansari @ Md.. Shahabuddin S/O.- Md. Ismail,
R/o- Village- Lalu Tola Islampur, P.S.- Ladaniya, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh

For the Opposite Party/s : Mr. Amitesh Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 341, 448, 452, 504 and 34 IPC and subsequently Section 302 of the Indian Penal Code is added.

As per FIR there is allegation of committing assault against the all the accused persons including the petitioner while they were prevented from taking away woods by the informant.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. It is further submitted that prior to institution of the present case, a case was instituted by the petitioner's side in which informant side was accused. The said FIR is Annexure 4 to the present application. FIR was instituted for offences under Sections 323,

341, 448, 452, 504 and 34 of the Indian Penal Code. The deceased was taken to hospital where injury report was prepared. From perusal of injury report, Annexure 2 to the present application, it appears that nature of injury is simple. Later on, after a period of three days the deceased succumbed to the injury and Section 302 IPC was later on added. From perusal of Post Mortem Report (Annexure 3) it is evident that the said injury was not sufficient to cause of death.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest/surrender in the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in Ladaniya P.S. Case No. 131 of 2015 (G.R.No. 2598 of 2015), subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

singh/-

U		T	
---	--	---	--