

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18858 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -KHAIRA District- JAMUI

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Arjun Sah Son of Shiv Kumar Resident of Kageshwar, P.S. Khaira, District
- Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-05-2016 Heard learned counsel for the petitioner and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Khaira P.S.Case No. 7/2016, disclosing offences under sections
341, 342, 448, 323, 307, 504, 380, 354/34 of the Indian Penal
Code.

The allegation is that the accused Dilip Sah assaulted the
informant with lathi on his leg and hand. It is alleged against the
other co-accused Sajjan Sah that he assaulted the son of the
informant with an iron rod. The allegation against the petitioner is
that he assaulted the wife of the informant with an axe.

Learned counsel, appearing on behalf of the petitioner, has
submitted that civil dispute between the parties is the reason
behind institution of the present case and on the basis of counter

version, F.I.R. vide Khaira P.S. Case No. 8/2016 has been lodged on the same date.

Learned counsel, appearing on behalf of the petitioner, appears to be right in his submission that prima facie the allegations do not constitute a case under section 307 of the I.P.C.

Considering the above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six 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, Jamui in Khaira P.S. Case No. 7/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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