

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33515 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Md. Shahid son of Wazir Miyan, R/o village- Baheri, P.S.- Bairginiya,
District- Sitamarhi. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Bairginia P.S. Case No. 57 of 2016 registered for the offences
punishable under Sections 147, 148, 149, 323, 324, 307, 506 of the
Indian Penal Code.

Allegedly, the petitioner, co-accused Mubarak Miyan
and Jakir Miyan directed the informant to cast vote as per their
choice which the informant refused and then threats were given
and after casting of votes the petitioner and other accused persons
assaulted the informant and others causing injury on his head and
body.

Submission is of false implication and that the injury
caused to the informant and others are simple in nature caused by
hard blunt substance, other co-accused have been allowed pre-

arrest bail by the court below itself and as such the petitioner also deserves sympathetic consideration.

Learned APP after going through annexure-2 fairly submits that the informant has received one lacerated wound of size 1"x 1/2" x skin dip on right parietal above of skull caused by hard blunt object which is simple in nature.

In the facts and circumstances stated above, considering that due to election rivalry the occurrence has taken place, no sharp cut injury was found on the person of the informant and as such the petitioner above named, in case of his surrender or arrest within one months from the date of receipt/production of a copy of this order, shall be released on bail on execution of 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, Sitamarhi in connection with Bairginiya P.S. Case No. 57 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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