

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27744 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -KAJI MUHAMMADPUR
District- MUZAFFARPUR

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Chhotu Kumar, Son of Raju Mahto, Resident of Village- Majhouliya road,
near Gumati no. 5, P.S.- Kazimohammadpur, District Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 27-09-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Kazimohammadpur P.S. Case No.130 of 2016
for allegedly having committed the offence under Sections
147, 148, 323, 354, 376, 511, 380, 457 and 504/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
entire allegation is false and fabricated and has been initiated
only because there is a boundary dispute between the parties.
The story regarding the petitioner taking the advantage of her
loneliness is also frivolous and concocted and further the
allegation that the petitioner had attacked the informant with

Danda and brutally assaulted her has been proved false as there is no injury report, rather the Primary Health Centre at Muzaffarpur which had diagnosed the injured, namely, Vittu Kumar, shows that he was treated for gastric disorder and not on account of any injury.

Considering the nature of allegations made and that the prosecution story stands belied by the medical report and also that the petitioner has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-Cum-Sub-Judge 1st, Muzaffarpur, in connection with Kazimohammadpur P.S. Case No.130 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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