

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2760 of 2016

Arising Out of PS.Case No. -21 Year- 2015 Thana -KHANPUR District- SAMASTIPUR

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Vinod Das S/o Mantun Das, Resident of village- Bishanpur Sonsa, P.S.-
Khanpur, District- Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : Mr. Anil Kumar Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-01-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 379, 504 and 34 of the Indian Penal Code.

The prosecution case is that the accused persons threw waste material in the field of the informant. On protest being made the accused persons including the petitioner came and surrounded the husband of the informant assaulted him and abused. It is alleged that the co-accused Mantun Das assaulted with pharsa on the head of the husband of the informant when he fell down and his son Ashok Das came to rescue Binod Das assaulted him with Dhabia (Kachiya) a sharp cutting weapon in his hand and arm. The other accused persons assaulted with lathi and snatched gold

chain and money from the pocket of the son of the informant.

It is submitted by the learned counsel for the petitioner that background of accusation is land dispute. There is no accusation of repeating of blow and the injuries have been caused by sharp cutting weapon on non-vital part. Statement in para-3 of the petition has been made that the petitioner has got no criminal antecedent.

The learned APP has pointed out that the injury has been found on the son of the informant.

The aforesaid facts constitute ground for consideration of prayer for regular bail let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Khanpur P.S. Case No. 21 of 2015 pending in the court of Sri Atul Kumar Singh, the learned Judicial Magistrate, 1st Class, Samastipur.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J.)

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