

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13977 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN (BETTIAH)

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1. Abdul Gaddi, Son of late Jhagru Gaddi, resident of Village
- Suryapur, P.S. - Sri Nagar, District - West Champaran at
Bettiah (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B.P. Pandey, Sr. Adv.
Mr. Rakesh Kumar, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 11-04-2016

Heard learned Senior counsel for the petitioner
and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Bairiya P.S. Case No.47 of 2016, disclosing
offences under Sections 186, 341, 323, 333, 353, 308
and 427 of the Indian Penal Code.

Learned Senior counsel, appearing on behalf of
the petitioner, submits that no offence, under Section



308 of the Indian Penal Code, is made out against the petitioner and the prosecution case, as narrated in the First Information Report, is exaggerated version of the occurrence, which had taken place, on 22.02.2016, in course of the concerned meeting. He submits that in course of said meeting, there was exchange of hot words and the petitioner tenders unqualified apology, if any word, used by him against the informant, has hurt him. He further submits that the petitioner has no criminal antecedent and there is no chance of petitioner fleeing away from the course of investigation or trial.

Considering the submission that the petitioner is full of remorse of what happened in the said meeting, dated 22.02.2016, and the fact that he has no criminal antecedent, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-IVth, West Champaran at Bettiah**, in connection with **Bairiya P.S. Case No.47 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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