

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35709 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -DEO District- AURANGABAD

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1. Surendra Yadav S/o Suresh Yadav Resident of Village- Pipardih, P.S.
Town Aurangabad, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-09-2016

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 307, 379, 353, 341, 323, 325, 504, 506/34 of the Indian Penal Code.

The prosecution case is that on 26.06.2016 at 9.20 A.M. the informant being the Police Sub Inspector was getting the vehicle parked on the eve of Sun Fair of Deo, when one person stopped his vehicle on the middle of the road as he was talking on mobile. On being asked to move the vehicle ahead, the accused person took out lathi from his Car and started assaulting the informant, as a result the informant received injuries



on the left hand, wrist, neck and back. It is further alleged that accused persons pressed the neck of the informant and took away Rs. 25,00/- from his pocket. Out of five accused persons two were apprehended, they disclosed their names as Ashutosh Kumar and Nand Kumar Singh and they also disclosed the name of others who escaped from the scene including the petitioner.

It is submitted by the learned counsel for the petitioner that for a petty dispute with regard to parking of the vehicle, hot exchange took place, when two persons were brutally assaulted by the informant, as a result both apprehended accused persons received 12 and 13 injuries, whereas the informant has virtually received no injury. The injury report of the informant suggests simple superficial injury. There is no specific accusation of assault against the petitioner. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. .

Considering the nature of injuries caused to the accused persons and the injury of the informant, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,

Aurangabad in connection with Deo P.S. Case No. 34 of 2016,
subject to conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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