

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42349 of 2016

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Ram Bilash Rai, Son of Sri Ram Chandra Rai, Resident of Village- Birnama
Tulla, Police Station- Angarghat, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 17-10-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Angarghat P.S. Case No. 09 of 2014, disclosing offences under Sections 341, 323, 325, 307, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that though the petitioner is named in the First Information Report, there is no allegation against him of causing assault. He has submitted that there is such allegation against co-accused, namely, Binod Rai. He has also submitted that the allegation is of assaulting the informant with lathi and danda and on the basis of the allegation made in the First Information Report, no offence

under Section 307 of the Indian Penal Code is made out.

Considering the contents of the First Information Report and submissions advanced on behalf of the petitioner, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Dalsingsarai in connection with Angarghat P.S. Case No. 09 of 2014, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-c

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