

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17391 of 2016

Arising Out of PS.Case No. -56 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

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Lal Bahadur Rai, Son of Late Mahendra Rai, Resident of Village
Dhumnagar Bakhri, P.S.- Baruraj, District Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Advocate
For the Informant : Mr. Nachiketa Jha, Advocate
For the State : Mr. Veena Rani Pd.(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 09-08-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the informant. Learned

counsel for the State is also present.

The petitioner is apprehending his arrest in connection
with Baruraj P.S. Case No.56 of 2015 for allegedly having
committed the offence under Sections 341, 323, 324, 307, 379,
354/34 of the Indian Penal Code.

Case diary in the present case was called for, which
has since been received.

After hearing learned counsel for the petitioner and
the learned counsel for the informant as well as the learned
counsel appearing on behalf of the State, it appears that there
has been a history of litigations between the parties. There is
case and counter case (Annexure 2), which clearly reveals

animosity between the parties. So far as the injury purported to have been inflicted on the injured is concerned, though described as grievous in a report, which is said to be dated three months after the date of occurrence, there appears to be some discrepancy in the said report. Furthermore, independent witnesses in the village have stated that the occurrence took place while the informant's side was filling up the land with *Mitti*.

Considering the nature of allegations made and there are consistent history of litigations between the parties, 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 Sri Amit Kumar Tiwari, Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Baruraj P.S. Case No.56 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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