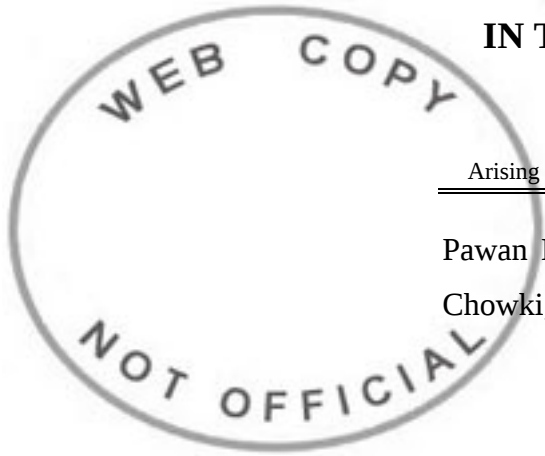




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16784 of 2016

Arising Out of PS.Case No. -111 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

Pawan Kumar @ Pawan Paswan, S/o Banarshi Das, R/o village- Bhagat Chowki, P.S.- Mufassil, District- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri Jee(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-04-2016 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, 325, 307/34 of the Indian Penal Code.

The prosecution case is that on 06.06.2014 while the informant was fitting pipe in his septic tank accused made protest claiming it was public drainage. Co-accused Fulo Devi abused him. All the First Information Report named accused persons including the petitioner assaulted



the father and mother of the informant. It is further alleged that petitioner Pawan Kumar assaulted the mother of the informant with butt of the pistol and she sustained injury on her head and she fell down.

It is submitted by the learned counsel for the petitioner that at earlier point of time the petitioner lodged Munger (M) P.S. Case No. 110 of 2014. The petitioner also received injury. It is further submitted that though the injury of injured Sobha Devi, the mother of the informant was examined by the Doctor on 06.06.2014, but the injury report was issued on 12.06.2014 which clouds the bona fide of the injury report. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the fact that petitioner filed a case at earlier point of time, undue delay in submitting of the injury report, petitioner himself received injury and his fardbeyan was recorded in hospital, coupled with the statement made in para-3 of the petition that petitioner has no criminal antecedent, 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 Sub-Divisional Judicial Magistrate, Munger in connection with

Muffasil P.S. Case No. 111 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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