

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23036 of 2016

Arising Out of PS.Case No. -94 Year- 2016 Thana -KOILWAR District- BHOJPUR

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Rupesh Kumar Son of Raj Kumar @ Goswami

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 323, 325, 307, 504, 379/34 of the Indian Penal Code.

Prosecution case is that the petitioner struck with iron rod on the head of the brother of the informant.

It is submitted by learned counsel for the petitioner that the injury has been found to be superficial simple in nature, a statement to that effect has been made in paragraph no.10 of the petition, which reads as follows :-

" That it is stated that the injury on the brother of the informant is simple and superficial.

It is further submitted that the brother of the informant received accidental injury but maliciously the present case has

been lodged. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur at Ara in connection with Koilwar P.S. Case No.94/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that the brother of the informant has not received any grievous injury, but if it is found that the informant's brother has received grievous injury, then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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