

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48130 of 2016

Arising Out of PS.Case No. -158 Year- 2014 Thana -NIRMALI District- SUPAUL

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Surya Narain Singh son of Late Lakshman Singh resident of Village-
Dighia, P.S.- Nirmali, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh
For the Opposite Party/s : Mr. Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 15-12-2016 Heard the counsel for the petitioner and Mr. Ajay
Kumar No.2, APP for the State.

Prayer is for grant of anticipatory bail in Nirmali P.S.
Case No. 158 of 2014 registered under section 307 IPC.

On going through the FIR, it appears that the
allegation against the petitioner is specific of causing injury to the
grandmother of the informant on her forearm.

It is submitted that, upon investigation, the police did
not send the petitioner up for trial. So far as other accused persons
are concerned, the charge-sheet was submitted under minor penal
provisions of the Act. The court, however, differing with the
report, took cognizance under section 307 IPC on 27.05.2015 and
hence the apprehension. Referring to the injury report (Annexure-



4), it is submitted that the grandmother of the informant did not receive grievous injury.

Considering the facts that the Investigating Officer did not send the petitioner up for trial and that the injury sustained by the grandmother of the informant is not grievous, I am inclined to extend him the privilege of bail. Let the petitioner named above, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of ACJM, Birpur (Supaul) in Nirmali P.S. Case No. 158 of 2016 corresponding to G.R. No. 845 of 2014 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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