

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46966 of 2016

Arising Out of PS.Case No. -9 Year- 2014 Thana -ANGARGHAT District- SAMASTIPUR

=====

Binod Rai, Son of Late Shukdeo Rai, resident of Village- Birnama Tula,
P.S. Angarghat District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with
Angarghat P.S. Case No.09 of 2014 registered under Sections 341, 323,
325, 307, 379 and 504/34 of the Indian Penal Code.

The accusation is that on 12.01.2014, when the informant was
going to the village of his sister, in the way, the petitioner and two other
accused, named in the F.I.R., met him and due to previous dispute, the
petitioner asked to kill him. Thereafter, petitioner gave a lathi blow
causing injury at the shoulder of the informant whereas the other
accused, namely, Dinesh Rai and Ram Bilas Rai caused injury through
lathi at the wrist of his left hand and ankle of his right leg.

Learned counsel appearing on behalf of the petitioner submits



that, admittedly, four injuries were found on the person of the informant and out of them, three injuries are swelling over the right clavicle, over the left hand and over left ankle, which are said to be grievous in nature and are not attributed to the petitioner. Further submission is that due to old grudge and enmity, the present occurrence took place and if the allegation against the petitioner to cause injury at the shoulder of the informant is taken to be true, hardly, the offence under Section 325 of the Indian Penal Code would be made out against the petitioner, which is bailable in nature. Moreover, the informant has also filed a compromise petition in the court of the Additional Chief Judicial Magistrate, Dalsingsarai, on 20.03.2014.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur, in connection with Angarghat P.S. Case No.09 of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

