

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8640 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -KARAKAT District- SASARAM (ROHTAS)

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Babalu Mishra Son of Sri Janardan Mishra, Resident of Village- Sobeya,
Police Station- Karakat, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pandey

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 07-03-2017 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail, the petitioner apprehends his arrest for the offences punishable under Sections 341, 323, 504, 506, 326, 354(A)/34 of Indian Penal Code.

Allegedly, the petitioner was using insulting words and when the informant protested, he started abusing and calling his father. Both started assaulting the informant Premlata Devi and further, the petitioner after catching her hair, brought her in the *gali*. After that, villagers came and saved her but again after 30 minutes, both entered into the house. After abusing, Janardan Mishra gave order and then, the petitioner gave *garasi* blow causing injury on the middle finger of right hand and that finger was cut-off.



Submission is of false implication and that no injury by sharp-cut weapon has been caused to the informant, vide Annexure-2 it is clear that lacerated wound on right middle finger has been found which is simple in nature and is caused by hard and blunt substance and offence under Section 326 of Indian Penal Code is not made out and as such, he deserves sympathetic consideration.

The learned Additional Public Prosecutor submits that in the First Information Report, there is allegation but that is not substantiated by injury report.

In the facts and circumstances stated above, the petitioner, in case of his arrest or surrender before the Court below within four weeks from the date of receipt/ production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Bikramganj (Rohtas) in Karakat P.S. case no. 165 of 2016 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Jitendra Mohan Sharma, J.)

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