

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.680 of 2017

Arising Out of PS.Case No. -179 Year- 2016 Thana -BAJPATTI District- SITAMARHI

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Harichandra Prasad @ Harischandra Prasad, Son of Milan Sah, resident of
Village- Patdora, P.S.- Bajpatti, District- Sitamarhi.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhat Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

3 17-04-2017 Heard learned counsel for the appellant as well as
learned Special Public Prosecutor.

There happens to be an allegation that in the night of
30.10.2016 Rakesh Gupta, Pappu Kumar, Rahul Kumar and
Chandra Prakash came at the house of the informant and abused
by calling caste name under the influence of liquor.

In the aforesaid background, it has also been alleged
that on 31.10.2016 at about 10 A.M. while the informant was
sitting at his house, Rakesh Gupta, Pappu Kumar, Rahul Kumar,
Chandra Prakash Kumar, Arind Kumar, Hari Chandra Prasad
(Appellant), Sakhi Chandra Sah, Rakesh Kumar, Ram Krishna
Kumar, Birendra Prasad and Satyendra Sah armed variously
raided his house and during course thereof, Rakesh Gupta gave



Farsa blow over his head causing injury. Thereupon, his mother came to his rescue who was also assaulted by the appellant with Farsa over her head which has been found simple in nature without having repetition of blow.

The appellant happens to be under custody since 27.11.2016. Consequent thereupon, the appellant, Harichandra Prasad @ Harischandra Prasad is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri J. P. Kisku, Judicial Magistrate, Pupri, Sitamarhi, in connection with Bajpatti P.S. Case No. 179 of 2016 after setting aside the order dated 12.01.2017 passed in B.P. No. 1919/2016/12/2017 relating to Bajpatti P.S. Case No. 179 of 2016 by 1st Additional Sessions Judge, Sitamarhi.

Consequent thereupon, the appeal is allowed.

(Aditya Kumar Trivedi, J)

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