

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58858 of 2017

Arising Out of PS.Case No. -346 Year- 2016 Thana -FATEHPUR District- GAYA

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Pawan Kumar @ Pawan Mistri, S/o Munirak Mistry, resident of Village-
Kusumer, P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
Mr. Dhananjay Kumar Gupta, Advocate
Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 25.10.2017 in connection with Fatehpur P.S. Case No.346 of 2016 registered for the offence under Sections 147, 149, 341, 323, 504, 308, 325 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the present petitioner is that he along with other accused had assaulted the informant with *Danda*, as a result of which his hand was fractured. It is further submitted that one Munrik Mistri also assaulted the informant and he snatched Rs.500/- from his pocket. Learned counsel for the



petitioner further submits that the petitioner and the informant are own *Gotiyas* and on account of dispute in the family, the present case has been lodged. It is further submitted that though the occurrence is of 12.10.2016, the F.I.R. in this connection has been lodged on 14.12.2016, i.e., more than two months after the alleged occurrence, for which no plausible explanation has been offered by the informant.

Taking into consideration the entire facts and circumstances of the case and that the petitioner has got no criminal history, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Gaya, in connection with Fatehpur P.S. Case No.346 of 2016.

(Anjana Mishra, J)

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