

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56193 of 2017**

Arising Out of PS.Case No. -104 Year- 2017 Thana -ANDER District- SIWAN

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Rupesh Tiwary @ Ajeetmani Tripathi, Son of Birendra Tiwary @ Birendra Mani Tripathy, Resident of Village-Jayjor, Police Station-Andar, District-Siwan.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Makardhwaj Upadhyay

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      29-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Andar P.S. Case No. 104 of 2017 dated 27.05.2017 instituted for the offences under Sections 341, 323, 504, 307, 34 of the Indian Penal Code.

The petitioner is said to have given a sword blow on the head of the son of the informant leading to injuries. The other persons also are said to have assaulted the informant.

The injury report reveals that the victim received two injuries; one being lacerated wound on the scull which is skin deep, whereas the other injury is only swelling of 1"x1" dimension on the elbow. The injuries though, are reported to be grievous but those are not in consonance with the ocular



testimony of the informant.

The petitioner is in custody since 09.10.2017 and he does not have any criminal antecedent.

Taking into account the period in custody and the circumstances under which the assault was made, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IX, Siwan in connection with Andar P.S. Case No. 104 of 2017.

**(Ashutosh Kumar, J)**

Shageer/-

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