

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7285 of 2017

Arising Out of PS.Case No. -112 Year- 2015 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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Shiv Pandit @ Shiva Pandit

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Prasad, Advocate.

For the Opposite Party : Smt. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Kusheshwar Asthan P.S. Case No. 112 of 2015 for the offences instituted under Sections 147, 148, 447, 341, 323, 324, 307, 379, 504 and 509 of the IPC.

The prosecution story, in brief, is that on 01.04.2015 at 9.00 A.M. the informant was cooking at her house, in the meantime, the accused persons including the petitioner armed with weapons entered into her house and began to abuse the informant and on protest. This petitioner assaulted with Iron rod to the informant and other accused persons assaulted with Lathi and Danda. There is allegation of theft also.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. It is a case and counter case between the parties. Both parties are agnates. The occurrence is said to have taken place due to property dispute. In the FIR itself, it has been admitted that after the occurrence the victim had not gone to hospital for treatment. Hence, the injury was superficial. As no grievous injury has been caused hence, no offence under Section 307 of the IPC is made out.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Kusheshwar Asthan P.S. Case No. 112/2015, G.R. No. 299/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Biraul, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)