

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21364 of 2017

Arising Out of PS.Case No. -358 Year- 2016 Thana -FATUHA District- PATNA

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Bhola Yadav @ Rahesh Kumar @ Rahish Kumar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party : Smt Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Fatuha P.S. Case No. 358 of 2016 for the offences instituted
under Sections 341, 323, 325 and 307/34 of the IPC.

The prosecution story, in brief, is that on 20.09.2016
while the informant was sitting at his house then this petitioner
came and called him to Rasalpur Bandh where a tree of blackberry
was there at that place 4-5 persons sitted there. The eye of the
informant was tied with Gamacha and all the persons assaulted
him with Lathi. One person assaulted with iron rod on his head
causing head injury and blood was oozing. The informant could
not identify any person.

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. The nature of injury is said to be simple. Hence, no offence under Section 307 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 Fatuha P.S. Case No. 358/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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