

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15076 of 2017

Arising Out of PS.Case No. -98 Year- 2015 Thana -GARKHA District- SARAN

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Mithilesh Rai @ Mithilesh Kumar Rai, son of Late Yamuna Rai, resident of
Village- Pirari, P.S.- Garkha, Distt- Saran.

.... Petitioner/s

Versus

The State of Bihar.

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 14-06-2017 Heard learned counsels for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with Garkha P. S. Case No. 98 of 2015 instituted under Sections
308, 323, 324, 341, 427 and 504/34 of the Indian Penal Code.

The allegation, in brief, is that the informant getting
information that accused persons are uprooting vegetables planted
by him, he went to the field and protested them not to do so. Upon
which, petitioner gave a spade blow over the informant causing
injury by the side of his abdomen. Hearing alarm, other persons
turned up to rescue him thereafter petitioner snatching gold chain
escaped away.

Learned counsel for the petitioner submits that there
is land dispute between the parties and in fact, land is in



possession of the petitioner and there was no any spade blow on the informant and the injury sustained by him is only skin deep in depth and as per opinion of the doctor, the injury is simple in nature and the petitioner has no any criminal antecedent.

Having considered the aforesaid facts and circumstances, let the petitioner, namely, Mithilesh Rai @ Mithilesh Kumar Rai, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Saran, Chapra in connection with Garkha P.S.Case No. 98 of 2015; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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