

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42916 of 2017

Arising Out of PS. Case No.-31 Year-2017 Thana- BHELDI District- Saran

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Bishwakarma Sharma, S/o Bramhadeo Sharma, resident of Village- Pandey Tola, P.S.- Bheldi, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rajani Kumari
For the Opposite Party/s : Mr. SMT. REENA SINHA

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-09-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bheldi P.S.Case N0. 31 of 2017, disclosing offences under Sections 341, 323, 324, 307, 447, 504, 347 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the allegation against the petitioner is of having assaulted the informant with sword, which is a sharp cutting weapon. Referring to the injury report, she contends that the injuries having been found to have been caused by hard and blunt substance, belies the allegation of assault with sword. She has also submitted that one of the three injuries have been found to be simple whereas opinion has been reserved in respect to other injuries. There is statement in paragraph 3 of the application that



the petitioner has no criminal antecedent. It appears from the First Information Report that there is element of animosity between the petitioner and the informant's side.

Considering the above facts and circumstances, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in Bheldi P.S. Case No. 31 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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