

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25752 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -BITHAN BAZAR District- SAMASTIPUR

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1. Bipin Kumar Son of Nishi Yadav Resident of Village-Pusaho, Police
Station-Bithan District-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. **14-06-2017** Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Petitioner is seeking regular bail in connection
with G.R. No. 165 of 2017, arising out of Bithan P.S. Case
No. 23 of 2017, registered for the offence punishable under
Sections 279, 337, 338, 341, 323, 353, 504 of the Indian
Penal Code and Section 37(b) of the Bihar Excise Act,
2016.

The allegation against the petitioner is that he
was driving motorcycle in a drunken condition and dashed
one Kuttubuddin causing fracture in his hand.

Learned counsel for the petitioner submits
that petitioner is having clean antecedent and the injury



report is false as the informant in connivance with Kuttubuddin has managed to make false injury report from the doctor at Primary Health Centre Bithan. Learned counsel further submits that petitioner is in jail since 28.02.2017.

However, learned Additional Public Prosecutor for the State opposes the prayer for bail and submits that because of fault of the petitioner the said Kuttubuddin has suffered fracture in his right hand.

Considering the facts and circumstances of the case that petitioner is in jail since more than 3½ months and the investigation is over, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur, in connection with Bithan P.S. Case No. 23 of 2017.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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