

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.805 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -BAJPATTI District- SITAMARHI

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Amar Raj @ Amar Raj Sah son of Yogendra Sah Resident of village -
Bhalani Madan, P.S. Bajpatti, District Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate.

For the Opposite Party/s : Smt. Sucheta Yadav, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 02-05-2017 Heard both sides.

The petitioner apprehends his arrest in Bajpatti P. S.

Case No. 136 of 2016 registered for the offences under Section
307 and other sections of the Indian Penal Code.

The informant alleged that Yogendra Sah assaulted
with axe on his head and when his brother Rakesh Kumar came
to save her, the petitioner Amar Raj assaulted his brother Rakesh
Kumar with iron rod.

Learned counsel for the petitioner submits that
there is a counter version. Rakesh Kumar did not get any injury.
Case diary and injury report are called for. But injury report of
Rakesh Kumar has not been sent to this Court. Superintendent of
Police, Sitamarhi sent the injury report of Ashok Sah. Yogendra



Sah is alleged to have assaulted Ashok Sah. Two incised wound were found on his head. Both the injuries are opined to be simple in nature. Rakesh Kumar did not get any injury. The case is compromised.

Considering the facts aforesaid that the petitioner is alleged to have assaulted Rakesh Kumar, but Rakesh Kumar did not get any injury, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi in Bajpatti P. S. Case No. 136 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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