

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53465 of 2017

Arising Out of PS.Case No. -253 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Bipin Kumar @ Asmit Kumar S/o Bechan Yadav @ Bikan Yadav Resident
of village- Machaha, P.S.- Triveniganj, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 27-11-2017

Heard the counsels for the petitioner, the

informant and the State.

The petitioner seeks bail in connection with
Madhepura P.S. Case No. 253 of 2017 dated 01.05.2017 instituted
for the offences under Sections 341, 323, 324, 307, 379, 34 of the
Indian Penal Code.

The petitioner is alleged to have taken the
informant/victim to the river side at about 12:30 A.M in the night
on 13.04.2017. It is alleged that there, he was assaulted by the
petitioner and his brother Jitendra Kumar and was also divested of
Rs. 1000/-. The informant thereafter got himself treated in a
private hospital.

The F.I.R was registered after about 17 days on



01.05.2017.

Mr. Krishna Prasad Singh, learned senior counsel appearing for the petitioner submitted that the case is absolutely false. It does not appear to be probable that anybody, on the asking of the accused will come out of his house at 12:30 in the night without any plausible reason. That apart, the delay in the lodging of the F.I.R also makes the case doubtful.

The petitioner is in custody since 02.08.2017 and he does not have any criminal antecedent.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 253 of 2017.

(Ashutosh Kumar, J)

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