

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6716 of 2017

Arising Out of PS.Case No. -93 Year- 2016 Thana -KARJAIN District- SUPAUL

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Mithilesh Kumar @ Mithilesh Swarnakar, Son of Kameshwer Swarnakar,
resident of village- Manshapur, Police Station- Karjian, District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Karjian P.S.Case
No. 93/2016 for the offences punishable under sections 323, 324,
307, 379, 341, 504, 506/34 of the Indian Penal Code.

The allegation in brief is that the accused persons
assaulted the informant and his uncle in the temple premises. The
specific allegation is that Dilip Swarnakar assaulted the uncle of
the informant Shiv Narayan Swarnakar by giving a hammer blow
over his head and another accused Vikki Kumar Swarnakar threw
a piece of brick over the head of Basant Kumar Soni, as a result of
which he became injured. The accused persons also committed
theft.

Submission is that there is no specific allegation of
assault against this petitioner. The injury caused to Shiv Narayan



Swarnakar is attributed to Dilip Swarnakar. There is a case and counter case between both sides and the petitioner has no criminal antecedent.

Having considered the said facts and circumstances, the petitioner Mithilesh Kumar @ Mithilesh Swarnakar, in the event of his arrest or surrender before the court below within a period of four weeks from today, shall 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 Sub-divisional Judicial Magistrate, Birpur, Supaul in Karjain P.S.Case No. 93/2016, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Arun Kumar, J)

Surendra/-

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