

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43923 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -BARUN District- AURANGABAD

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1. AWADH SINGH @ AWADH KUMAR SINGH, son of Late
Sukhnandan Singh, Resident of Village- Bhalua, P.S. Barun, Dist.-
Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kalyan Shankar, Adv.
Mr. Chandan Kumar, Adv.

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 19-12-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Barun P.S. Case No. 88 of 2017, disclosing offences under
Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal
Code.

From the First Information Report, it transpires that
the informant had sold some quantity of paddy to the petitioner for
certain price agreed upon between them. Allegedly, the petitioner
avoided payment of price of the paddy and when demanded by the
informant, the petitioner and his brother Pramod Singh assaulted
him.



Learned counsel for the petitioner has submitted that even if the allegation made in the F.I.R. are treated to be true, no offence under Section 307 of the IPC is made out. According to him, there is a civil dispute between the parties, which has given rise to registration of the F.I.R.

I find substance in the submission made on behalf of the petitioner.

Considering the submission, as above, this application is allowed.

Let the petitioner, Awadh Singh @ Awadh Kumar Singh, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No. 88 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

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