

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42915 of 2017

Arising Out of PS. Case No.-242 Year-2017 Thana- RAJAUN District- Banka

Shankar Harijan Son of Late Baldeo Harijan, R/o Village- Morama, P.S.-
Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. DR. INDIWAR KUMARI

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-09-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Rajoun P.S.Case N0. 242 of 2017, disclosing offences under Sections 341, 323, 308,448, 504, of the Indian Penal Code.

The allegation against the petitioner is that he entered into the house of the informant and assaulted him with iron rod causing head injury.

Learned counsel appearing on behalf of the petitioner has submitted that false case has been lodged because of petty dispute. He has also submitted that no motive has been assigned in the First Information Report nor there is allegation of repetition of the assault. He submits that the petitioner has no criminal antecedent.



Considering the above submission, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 learned Chief Judicial Magistrate, Banka in Rajoun P.S. Case No. 242 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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