

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27556 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Lalbachchi Devi, Wife of Yadolal Prasad,
2. Yadolal Prasad, Son of Late Dasai Sah.
3. Vikash Prasad, Son of Yadolal Prasad.
4. Nagendra Prasad, Son of Yadolal Prasad.
5. Ravindra Prasad, Son of Yadolal Prasad.
6. Pramod Prasad, Son of Yadolal Prasad. All are residents of Village-
Siswa Saraiya, Police Station- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-10-2017

Heard both sides.

The petitioner No.5, Ravindra Prasad, apprehends his arrest in Bairiya P.S. case No. 66 of 2017 for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

It appears from perusal of the order dated 13.07.2017 that petitioner Nos. 3, 4 and 6, namely, Vikash Prasad, Nagendra Prasad and Pramod Prasad were arrested and their application was dismissed as has become infructuous. Petitioner No.1, Lalbachchi Devi and petitioner No.2, Yadolal Prasad, were granted anticipatory bail and case diary was called for to hear the anticipatory bail petition of petitioner No.5, Ravindra Prasad.

The learned counsel for the petitioner submits that



allegation against the petitioner is that he assaulted Santosh Prasad with Farsa on his head. The informant did not allege that petitioner gave second blow. From perusal of the injury report of Santosh Prasad, it would appear that Santosh Prasad got three injuries which are abrasion and laceration and all the injuries are superficial and simple in nature. There is counter version being Bairiya P.S. case No. 65 of 2017.

The learned Additional Public Prosecutor did not dispute the facts.

Considering the facts aforesaid and the nature of allegation made against the petitioner No.5, Ravindra Prasad, the petitioner No.5, 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 learned Additional Chief Judicial Magistrate-IV, Bettiah, West Champaran in connection with Bairiya P.S. case No.66 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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