

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45038 of 2017

Arising Out of PS.Case No. -240 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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1. Md. Alam, Son of Ali Imam, Resident of Village- Kasbe Ahar (Baheliya Tola), Police Station- Tajpur, District- Samastipur Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Kundan Kumar, Adv.

For the Opposite Party : Mr. Parmeshwar Mehta, APP 42

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 09-11-2017

Heard both sides.

The petitioner apprehends his arrest in Tajpur P.S. Case No. 240 of 2016 registered under Sections 341, 342, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that while he was on his shop, the petitioner and others came and assaulted the informant with iron rod.

The learned counsel for the petitioner submits that the shop of the petitioner is also situated by the side of the shop of the informant. There is scuffle between the two sides for which there is a case and counter case. From the side of the petitioner Tajpur P.S. Case No. 241 of 2016 is registered. It is, further, submitted that the informant, Pulindra Sharma, alleged that the petitioner indiscriminately assaulted him, but, from the perusal of the injury report of Pulindra Sharma, it would appear that Pulindra Sharma got only one injury on his fore-head in between two eye brows and the injury opined to be simple in nature. Therefore, the allegation of indiscriminate assault is falsified. The petitioner also got simple injury on account of the assault made by the informant.



Considering the facts, aforesaid, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Tajpur P.S. Case No. 240 of 2016** to the satisfaction of the **Additional Chief Judicial Magistrate, Samastipur**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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