

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30170 of 2017

Arising Out of P.S.Case No. -69 Year- 2017 Thana -KATIHAR MUFFASIL District- KATIHAR

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BISHNU YADAV, S/o Late Satyanarayan Yadav, R/o Kadeपुरa, P.S.-
Katihar Muffasil, Distt.- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 13-07-2017

Heard.

2. The petitioner apprehends arrest in connection with Katihar Muffasil P.S.Case No.69 of 2017 registered for an offence under Sections 147, 148, 149, 448, 341, 323, 307, 504 and 379 of the IPC.

3. The informant has alleged that on 05.04.2017 at 9.30 A.M. when he was discussing with his wife, the petitioner along with four others entered into his house and after some altercation, this petitioner assaulted him on his head by Khanti and also took away clothes and other articles from his house.

4. Learned counsel for the petitioner submits that the petitioner and the informant are resident of same village and occurrence of assault took place for petty matter in which the



informant sustained simple injury. The allegation of taking away house hold articles is ornamental and only to make the offence graver and so no offence under Sections 307 and 379 of the IPC is made out. The learned APP opposed the submission.

5. On perusal of injury report, which is annexed as annexure-2 of this application, it appears that the injury found on the person of the victim was simple in nature and there was no repetition of blow.

6. In view of the aforesaid facts and circumstances, the prayer of anticipatory bail is allowed. The petitioner in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Katihar Muffasil P.S.Case No.69 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Dharmendra Singh, Judicial Magistrate, Ist Class, Katihar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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