

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50547 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- FATUA District- Patna

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Harendra Singh @ Harendra Prasad @ Jalim, Son of Awdesh Prasad @ Awadhesh Singh, Resident of Village- Jaggubigha, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radhe Shyam

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 341, 323, 504, 307 and 34 of the Indian Penal Code.

Prosecution allegation, in short, is that the accused persons, variously armed, surrounded the informant and assaulted him.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 2.6.2018. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake



of fact as it is evident from the order of the Sessions Court that the nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Co-accused has been granted anticipatory bail vide order 5.4.2018 passed in Cr. Misc. No 13785 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Savita Rani, Judicial Magistrate, 1st Class, Patna City in connection with Fatuha P.S. Case No. 6 of 2018.

(Sudhir Singh, J)

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