

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52435 of 2018

Arising Out of PS.Case No. -290 Year- 2018 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN (MOTIHARI)

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Pankaj Sah, Son of Bhola Sah, Resident of Village- Roopdih, P.S.- Motihari
Mufassil, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar No.1, Advocate.

For the Opposite Party : Mr. Lakshmi Kant Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 342, 323, 324, 307,
379, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 23.05.2018
at 8.00 A.M., the informant was sitting on his door. In the
meantime, co-accused Bhola Sah came and asked the informant to
go with him to see ridge of field towards eastern side of the
village. They went there where sons of Bhola Sah, namely, Pankaj
Sah, Sonu Sah, Sujeet Sah and Bhagya Narayan Sah were present.
On saying measurement of the land by Amin, accused abused and



assaulted the informant. The petitioner with an intention to commit murder, took out knife and gave knife blow on the forehead of the informant causing bleeding injury. The informant's son came in rescue, accused persons assaulted him by Lathi, Danda and petitioner gave knife blow, which hit on his nose and finger. The petitioner also took out Rs. 2,000 from the pocket of the informant.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The allegation against the petitioner is of causing injury by knife on the informant. The injury report indicates that the injury has been caused by hard and blunt substance. Nature of injury is said to be simple. No offence under Section 307 of the I.P.C. is made out in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M. East Champaran, Motihari, in connection with Motihari Mufassil P.S. Case No. 290/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

