

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61767 of 2018

Arising Out of PS. Case No.-70 Year-2016 Thana- MAKHDUMPUR District- Jehanabad

Pramod Kumar, Son of Baidnath Yadav, Resident of Village- Makarpur, P.S.
Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2018 Heard learned counsels for the petitioner and
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504 of the IPC.

The prosecution case, as per the written report of Raj Kamal Kumar, submitted to the Station House Officer, Makhdumpur Police Station, is to the effect that on 17.03.2016 at 04.30 P.M., the informant went to a mobile shop for getting his mobile recharged. In the meantime, the petitioner came and started abusing the informant. On protest being made, the petitioner assaulted the informant with a knife causing injuries on his hand and cheek and blood started



oozing out of the wound which rendered him unconscious.

It is submitted by learned counsel for the petitioner that the father of the petitioner has deposed in a murder case lodged against the relative of the informant being Makhdumpur P.S. Case No. 104 of 2015, wherein the informant wanted to restrain the father of the petitioner to depose. It is further submitted that in fact, there is a counter version of occurrence being Makhdumpur P.S. Case No. 104 of 2016, which was registered by the petitioner's side against the informant's side. It is further submitted that the petitioner is an Army personnel and the case has been lodged in order to ruin his service career and his reputation. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by the learned APP that there is specific accusation of assault against the petitioner.

Considering the genesis of occurrence a counter case being filed against the informant by the petitioner's side coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the



learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned **S.D.J.M., Jehanabad** in connection with **Makhdumpur P.S. Case No. 70 of 2016** subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahu/-

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