

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62111 of 2018

Arising Out of PS. Case No.-493 Year-2018 Thana- JAHANABAD District- Jehanabad

Shailendra Bind, Son of Late Lali Bind, Resident of Village- Ismailpur, P.S.-
Korauna (O.P.), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-10-2018

Heard learned counsel for the parties.

The petitioner seeks bail in Jehanabad P.S. Case No. 493 of 2018, registered for the offence punishable under Sections 341, 323, 307, 427 and 504/34 of the Indian Penal Code.

It is evident from the FIR that the occurrence had taken place because of the petty dispute between the parties. The allegation against the petitioner is that he assaulted the informant with the hand of a *Kudal* causing injury.

Learned counsel, appearing on behalf of the petitioner, submits that had it been the intention of the petitioner to kill the informant, he would not have used the hand of the *Kudal* for assaulting the informant. He contends that even the



allegation of assault made by the informant is incorrect. He further submits that no offence under Section 307 of the Indian Penal Code is made out.

Considering the above submissions, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in Jehanabad P.S. Case No. 493 of 2018.

(Chakradhari Sharan Singh, J)

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