

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61940 of 2018

Arising Out of PS.Case No. -208 Year- 2018 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

=====

Munna Kumar @ Vikash Prasad @ Vikash Kumar, Son of Raj Kishor Prasad, Resident of Village- Balua Rampurwa, P.S. Bairiya, District- West Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 06-10-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Vijay Kumar dated 18.06.2018 submitted to the Station House Officer, Bairiya P.S., is to the effect that on 18.06.2018 at 5.00 P.M., the boundary wall of the house of the informant was demolished by the vehicle of the contractor and when the informant claimed either the compensation for the damage or making construction of the boundary wall then all the accused



persons came, abused and assaulted the informant. It is further alleged against the petitioner that he resorted to fire but it did not hit to the informant and he also assaulted the informant by butt of the pistol.

It is submitted by learned counsel for the petitioner that for a petty dispute, the accusation has been levelled. There is a counter version of the occurrence being Bairiya P.S. Case No. 211 of 2018. The injury has been found superficial simple in nature. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the specific accusation has been levelled in the FIR.

Considering the genesis of the occurrence, nature of injury being simple and statement being made in paragraph 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 or 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 the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, West Champaran at



Bettiah in connection with Bairiya P.S. Case No. 208 of 2018,
subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

