

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65185 of 2018

Arising Out of PS.Case No. -346 Year- 2018 Thana -MOTIHARI MUFA SIL District-
EASTCHAMPARAN (MOTIHARI)

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1. Ajay Kumar, Son of Sri Bhagwan Prasad, resident of Village- Godhwa,
Police Station- Motihari Muffasil, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 342, 323, 324, 307, 379, 504, 506 of the
Indian Penal Code.

The prosecution case, in brief, is that when the informant had
gone to see his land, the accused persons surrounded and abused
him. On objection raised by the informant, the accused persons
inflicted knife blow aiming neck but the informant ward-off by his
hands and blow hit left hand causing cut and bleeding injury.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. As per FIR, the petitioner is alleged to have caused injury on non vital part of the body. Hence, no offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by Magistrate. Both parties are agnates. Title Suit is also pending between the parties.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Chief Judicial Magistrate, Motihari in connection with Motihari Muffasil P.S. Case No. 346 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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