

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73658 of 2018

Arising Out of PS. Case No.-181 Year-2018 Thana- SIRDALA District- Nawada

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Sarjun Rajbanshi, S/o Late Chando Rajbanshi, resident of Village-
Kharaundh, Turiya Tola, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh- 1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
341,323,324,325,307,379/34 of the Indian Penal Code.

The prosecution case as per the written report dated
12.06.2018 submitted by Ramchandra Turiya to the effect that
on the same day, while the informant was sitting near his
house, co-accused, Mauli Rajbanhi started playing music in
high volume. On protest being made, five accused persons,
including the petitioner, assaulted the informant with an *axe*. It
is further alleged that co-accused, Mauli Rajbanshi assaulted on
the head of the son of the informant namely Jitendra Turiya with
an axe and thereafter, the accused persons



took away Rs.25,000/- and ornaments contained in a box in the house.

It is submitted by learned counsel for the petitioner that the specific accusation of assault has not been levelled against the petitioner in the FIR. 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 learned APP for the State that there is specific accusation of assault against the informant and his son.

Considering the specific accusation of assault being not levelled against the petitioner, coupled with 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 or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Nawada, in connection with Sirdala P.S. Case No.181/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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