

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35405 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- GAURICHAK District- Patna

Rajesh Bind Son of Nakul Bind Resident of Balua Chak, P.S. Gauri Chak,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1
For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-09-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Special Case No. 340 of 2017 arising out of Gauri Chak P.S. Case No. 57/2018 for the offence under Section 447, 323, 341, 307 and 504/34 of the Indian Penal Code.

There are four persons named in the First Information Report. The occurrence appears to have taken place because of minor dispute between the parties. There is allegation against co-accused Pavitra Bind of making assault by Farsa on the informant's head.

Learned counsel appearing on behalf of the petitioner has made three submissions. He contends that there is no specific allegation against the petitioner of making any assault.



He has secondly submitted that registration of the First Information Report after three days of the occurrence makes the case of the prosecution suspicious. He has thirdly submitted that the petitioner has not criminal antecedent.

Considering the nature of accusation and submissions advanced on behalf of the petitioner, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 A.C.J.M., Patnacity in Gauri Chak P.S. Case No. 57/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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