

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30688 of 2018

Arising Out of PS.Case No. -237 Year- 2017 Thana -DHURAIYA District- BANKA

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Sikandar Das S/o Late Ganga Das @ Gangadhar Das, R/o Vill.-
Chandrapura, P.S.- Dhuraiya, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 18-05-2018

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, 325, 307, 504 and 506/34 of the Indian Penal Code.

The prosecution as per the fardbeyan of Nandeo Rai recorded by A.S.I. Shatrughan Prasad on 03.11.2017 at Sadar Hospital, Banka is to the effect that on 03.11.2017 at 8.00 A.M. the accused persons tied their cattle on the land of the informant. On protest being made, petitioner Sikandar Das assaulted the informant with iron rod, as a result of which he fell down and became unconscious. On alarm being raised, the sons of the informant namely, Subodh Rai and Pramod Rai came to



rescue but they were also assaulted by the accused persons including the petitioner with lathi, danda and iron rod, causing injuries to them.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of land dispute. There is a counter version of the occurrence also when both sides have received injuries and injury has been found to be simple. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the delayed lodging of the case and the nature of injury being simple coupled with the statement 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-IV, Banka in connection with Dhoriya P.S. Case No. 237 of 2017,



subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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