

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34225 of 2018

Arising Out of PS.Case No. -196 Year- 2018 Thana -AMARPUR District- BANKA

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Abhay Kunwar @ Abhay Kumar, Son of Upendra Prasad Kunwar @
Upendra Pd. Kumar, Resident of Village- Laugain, P.S.- Amarpur, District-
Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 12-06-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Amarpur P.S. Case No. 196 of 2018,
registered for offences alleged under Sections 341, 323, 307, 506
and 324 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner as well as the informant are co-villagers. The allegation
against the petitioner is that he had assaulted the informant by a
Farsa on his head and then on his neck. However, in course of
medical examination, both the injuries have been found to be
simple in nature. Learned counsel submits that the petitioner has
no criminal antecedent and because of the village rivalry in course



of certain disputes he has been falsely implicated and the fact is that the informant received injuries when he fell down in the field.

Learned A.P.P. for the State is present and has opposed the prayer for bail.

Considering the fact that the injuries alleged are said to be simple in nature and both the petitioner as well as the informant are said to be the co-villagers as also that the petitioner has no criminal antecedent, let the petitioner, above named, be enlarged on bail on his furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Amarapur P.S. Case No. 196 of 2018, subject to the conditions under Section 437(3) Cr.P.C. and subject to the further condition that one of the bailors should be family member of the petitioner having no criminal antecedent and in case the petitioner is found involved in committing any assault of similar nature against the informant in future, his bail bond shall be cancelled in accordance with law.

(Rajeev Ranjan Prasad, J)

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