

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55838 of 2018

Arising Out of PS. Case No.-323 Year-2018 Thana- PHULWARISHARIF District- Patna

Kanhai Saw, son of Pachu Saw, r/o- Gwaltoli, P.S. & P.O.- Phulwari Sharif,
District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sayed Imran Ghani

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 341, 323, 324, 307 and 506 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was at his house, the accused persons including the petitioner came with weapons and assaulted them in which the brother of the informant got injured.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous enmity. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made



out. Rest of the offences are triable by the Magistrate.

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

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) each with two sureties of the like amount each to the satisfaction of Smt. Namita Singh, Sub Judge-XV-cum- ACJM, Patna in connection with Phulwarisharif P.S. Case No. 323 of 2018, G.R. No. 2669/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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