

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64819 of 2018

Arising Out of PS.Case No. -94 Year- 2018 Thana -AMARPUR District- BANKA

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FUCHO SAH @ PUCHO SAH, S/o Kesho Sah, Resident of Village-
Galimpur, P.S. Amarpur, District-Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 307/34 of the Indian Penal Code.

The prosecution case, in brief, is that in course of singing
Holi on the eve of Holi festival, a plastic bottle was thrown by the
petitioner, by which some spot of water were sprinkled causing
burn injury to the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has been falsely implicated in the present case. The
allegation is that a liquid substance was thrown upon the victims
due to which, they sustained burn injury. From perusal of the



injury report, it appears that the nature of injury, caused by hard and blunt substance, is simple in nature. The allegation made in the FIR is not corroborated with the injury report as the nature of injury is simple. No offence u/S 307 of the Indian Penal Code is made out.

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

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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 94 of 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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