

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52009 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- SANHAULA District- Bhagalpur

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1. Md. Israil Mansoori @ Israile Mansoor @ Israil Mansoori & Anr
S/o Late Nasiuddin Mansoori @ Late Nasiruddin Mansoori,
 2. Md. Nikaie @ Mikaiel @ Md. Mikaiel Mansoor S/o Md. Israil
Mansoori @ Israile Mansoor @ Israil Mansoori, Both R/o Vill.-
Faridampur, P.S.- Sanhaulla, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mrs. Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 28-09-2018

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sanhaulla P.S. Case No. 20/2018 for the offence under Section 341, 323, 324, 504, 506/34 and 307 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner informs that petitioner no. 2 has been arrested during the pendency of this application. This application, thus, has become infructuous to the extent it relates to petitioner no. 2 and stands dismissed accordingly.

In respect of petitioner no. 1, it has been submitted that there is allegation of assault by *lathi* made by petitioner no. 1 on one Md. Nisar Mansuri. Drawing my attention to the injury report, learned counsel for the petitioner contends that the



injury is simple in nature. He submits that no offence under Section 307 of the Indian Penal Code can be said to be made out against petitioner no. 1 in the facts and circumstances of the case.

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

Let the petitioner no. 1, 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 Chief Judicial Magistrate, Bhagalpur in Sanhaulla P.S. Case No. 20/2018, 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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