

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59612 of 2018

Arising Out of PS.Case No. -191 Year- 2018 Thana -FORBESGANJ District- ARRARIA

1. Mayanand Sah S/o Late Janaklal Sah, R/o Vill.- Amhara, P.S.- Forbesganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Adv

For the Opposite Party/s : Smt. Gulnar Begam, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-11-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341,323,379,307,504,506,354(B)/34 of the Indian Penal Code.

During occurrence of assault, the petitioner is alleged to have caused injury with Farsa at the head of the informant. Others assaulted causing fracture injury at the hand of the informant and others.

Submission of learned counsel for the petitioner is that the Doctor has found lacerated wound at the occipital region of the informant simple in nature. Such injury is not possible by Farsa unless the prosecution is



specific that blunt portion was used at the time of occurrence. Moreover, there is no allegation of repetition of blow and the petitioner is also injured during same occurrence.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the aforesaid facts of this case and substance in the submission of learned counsel for the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Forbesganj P.S.Case No.191 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Nitesh/-

U		T	
---	--	---	--

