

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63345 of 2018

Arising Out of PS. Case No.-160 Year-2018 Thana- DESARI District- Vaishali

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Manish Kumar Son of Sri Mohan Singh @ Prabhat Singh, Resident of
Village- Dharamdasapur, P.S. Desari, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 324, 307, 379/34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was returning home along with her son, the accused persons, variously armed, surrounded them and when his son protested, he was assaulted by them due to which he sustained injury.

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 falsely been implicated in the



present case. The petitioner is alleged to have used the butt of the pistol for the purpose of assault. Considering the nature of accusation, 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 learned Chief Judicial Magistrate, Vaishali in connection with Desari P.S. Case No. 160 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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