

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56142 of 2018

Arising Out of PS. Case No.-6 Year-2007 Thana- CHAND District- Bhabhua (Kaimur)

Rajeshwar Mishra, Son of Gulab Mishra, Resident of Village- Kariyara,
Police Station- Chand, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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, 148, 323, 325, 341, 447, 307 and 379 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was sitting at his *darwaja*, the accused persons variously armed surrounded the informant and assaulted him and threatened to kill 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 is 78 years old. No injury is attributed against the petitioner. The petitioner is said to be an order giver.



The police after investigation submitted a final form against this petitioner. The Court below has differed with the police report and took cognizance under Section 307 IPC and other allied sections of the Indian Penal Code. Except for offence under Section 307 IPC, 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, Bhabua, Kaimur in connection with Chand P.S. Case No. 06/2007 (G.R. No. 88/2007), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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