

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38714 of 2018

Arising Out of PS.Case No. -87 Year- 2018 Thana -BHAGWAN BAZAR District- SARAN

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1. UPENDRA RAY @ UPADRA RAY @ UPADAR RAI S/o Hari Ray,
R/o Vill./Mohalla- Barhmpur Naya Basti , P.S.- Bhagwan Bazar, District-
Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bhagwan Bazar P.S.Case no.87 of 2018 , registered for offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

Allegation against the petitioner is that there was dispute with respect to lane due to which an altercation took place and the petitioner assaulted the informant by brick in the meantime, the son of the petitioner came and he received brick-batting injuries.

Submission of the learned counsel for the petitioner is that dispute is of petty in nature and there was nothing against the petitioner to assault the informant and no doubt the injury was found to be grivous in nature and there is case and counter case



between the parties.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Bhagwan Bazar P.S.Case no.87 of 2018 dated 5.3.2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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