

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3326 of 2019

Arising Out of PS. Case No.-187 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Awadhesh Kumar @ Awadhesh Ram, Son of Dhodhai Ram, aged about 18
years, Male, Resident of Village-Punash Beduliya, P.S.-Samastipur Muffasil,
District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 24-01-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Samastipur Muffassil P.S. Case No.

187 of 2018, dated 05.04.2018, instituted for the offences

under Sections 147, 149, 307, 323, 325, 341, 504 and 506

of the Indian Penal Code.

Since cow-dung cakes were being kept near the

house of the informant which was protested by him, an

occurrence of assault took place. In the aforesaid



occurrence, the petitioner is said to have assaulted the informant by means of an iron rod leading to injuries on his persons.

The learned counsel for the petitioner has submitted that there is a counter version of the occurrence as well lodged by the petitioner himself. The informant has received fracture in his left hand, whereas the petitioner is also seriously injured on his head. It has further been submitted that there was no intention to cause death and the occurrence took place in a flash of temper. There was no premeditation of mind and even from the averments made in the F.I.R., it becomes very clear that there was no intention to cause any serious injury, but the assault on him was only being defended.

The petitioner does not have criminal antecedents.

Considering the facts aforesaid, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds



in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-V, Samastipur in connection with Samastipur Mufassil P.S. Case No. 187 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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