

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23309 of 2019

Arising Out of PS Case No.-78 Year-2018 Thana- BHAGWAN BAZAR District- Saran

Abinesh Kumar Singh @ Abhinesh Kumar Singh @ Murari, aged about 20 years (Male), Son of Awadh Kishore Singh @ Gandhi Jee Resident of Village- Dhup Nagar Dhobwal, P.S.- Khaira, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Sheshank Shekhar and Mr. Nilesh Kumar, Advocates
For the State	:	Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 18-07-2019

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bhagwan Bazar P.S. Case No. 78 of 2018 dated 27.02.2018
instituted under Sections 341, 323, 324, 307, 302, 114 and 504/34
of the Indian Penal Code.

3. Though, the allegation against the petitioner and
five others is of assault on the son of the informant, however, the
only specific allegation against the petitioner is of assault by fists
and slaps.



4. Learned counsel for the petitioner submitted that the incident occurred on the spur of the moment, as has been mentioned in the FIR that after coming out from the Matriculation examination, there was scuffle, in which, in any view of the matter, the petitioner is alleged to have given blows only by fists and slaps.

5. The position is not disputed by learned APP.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran in Bhagwan Bazar P.S. Case No. 78 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. One of the bailors shall be the close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his



bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

P. Kumar

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