

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26380 of 2019

Arising Out of PS. Case No.-446 Year-2018 Thana- MAIRWAN District- Siwan

GUDDU SINGH Son of Subash Singh, Resident of Village-Srinagar, P.S-
Mairwa, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Mairwa Police Station Case No. 446 of 2018, disclosing offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioner, has submitted that though there is allegation against the co-accused Rajnish Kumar of having assaulted the informant with knife, there is no allegation against the petitioner of making any assault with a sharp-edged weapon. The allegation against the petitioner is of having assaulted the informant with *labda*, which, according to him, is hard and blunt substance. It is



being submitted that it is evident from the First Information Report that the old enmity is the reason behind the occurrence.

Considering the facts and circumstances, as noted above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VII, Siwan in connection with Mairwa Police Station Case No. 446 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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