

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24945 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- VISHNUPAD District- Gaya

Pradeep Thakur Son of Rambaran Thakur, Resident of Brahmani Ghat Upari Gate, P.S.- Vishnupad, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Pd. Singh

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 18-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Vishnupad P.S. Case no. 179 of 2018 registered under Sections 341, 323, 354(B), 504 and 506 of the Indian Penal Code.

Petitioner is said to have abused, fisted and assaulted the informant by means of leg intruding into her house.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. As a matter of fact, the petitioner happens to be brother-in-law (*dewar*) of the informant and she has lodged this false and frivolous case



against the petitioner over the property dispute. There is inordinate delay of six days in lodging the FIR. The informant has not sustained any sort of injury. There is no eye witness of the occurrence. Petitioner happens to be handicapped to the extent of 45% by both the legs. Hence, there is no question of assaulting the informant by means of leg. He has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Gaya in connection with Vishnupad P.S. Case no. 179 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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