

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77471 of 2018

Arising Out of PS. Case No.-304 Year-2018 Thana- NAUGACHIA District- Bhagalpur

Anjit Ray S/o Late Rajendra Ray @ Boudhi Ray, R/o Vill.- Tetri, P.S.-
Naughachhiya, District- Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with Naugachhiya P. S. Case No. 304 of 2018 registered under Sections 341, 323 and 307 read with 34 of the Indian Penal Code.

It is contended by the learned counsel for the petitioner that there is case and counter case. The allegations made in the FIR are all bailable except Section 307 of the Indian Penal Code. The allegations made in the FIR do not attract the ingredients of the offence punishable under Section 307 of the Indian Penal Code. The sole injury alleged to have been caused on occipital region of the informant was found to be a lacerated wound measuring 1" x 1/2" x 1/2". There is no allegation of any



repetition of assault. The said injury sustained by the informant was a self-inflicted injury on the date of occurrence just in order to implicate the petitioner in a false case.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of bail to the petitioner.

Considering the totality of the circumstances, in the event of arrest or surrender before the court below, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Naugachhiya, Bhagalpur in Naugachhiya P. S. Case No. 304 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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