

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48047 of 2019

Arising Out of PS. Case No.-449 Year-2018 Thana- LAXMIPUR District- Jamui

Binod Yadav, Son of Nageshwar Yadav, Resident of Village - Matia, P.S.-
Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 143, 341, 323, 324, 308 and 504/34 of the Indian Penal Code.

The prosecution case is that the petitioner assaulted with sickle on the head of the informant causing sharp cut injury.

It is submitted by learned counsel for the petitioner that the injury has been found to be simple in nature and there is a counter version of the occurrence also, being Laxmipur P.S. Case No. 449 of 2018 registered for the offences punishable under Sections 143, 341, 323, 308 and 504/34 of the Indian Penal Code registered on 12.11.2018 at 3.30 P.M. whereas the



present FIR was lodged on the same day at 3.45 P.M. after the lodging of the case by the petitioner's side. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation of assault against the petitioner.

Considering the fact that the accusation of repetition of nlow has not been levelled against the petitioner, injury has been found to be simple and the case lodged by the petitioner's side at earlier point of time coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Jamui in connection with Laxmipur P.S. Case No. 449 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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