

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.71527 of 2018

Arising Out of PS. Case No.-277 Year-2016 Thana- WARISLIGANJ District- Nawada

Kanchan Sao Son of Kameshwar Sao Resident of Village- Chulhai Bigha,
Chak Milki, P.S. Warisaliganj, District Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-01-2019 Supplementary affidavit has been filed during the
course of argument.

Let it be taken on record.

Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Warisaliganj P.S. Case No. 277
of 2016 dated 19.11.2016 instituted for the offences
under Sections 341, 323, 307, 337, 379 and 34 of the
Indian Penal Code.

A dispute arose at the time of construction of a
public drain. In the aforesaid occurrence, it has been
alleged that the informant and others were assaulted. So
far as the petitioner is concerned, he is said to have
assaulted one Subodh Prasad by means of Garasa. Though
the injuries suffered by Subodh prasad have been
adjudged to be grievous in nature but from looking at the
injury, it appears that there is a sharp cut over the scalp



skin without the wound touching the bones. It has been submitted on behalf of the petitioner that the brother of the petitioner has filed a counter version of the occurrence vide Warisaliganj P.S. Case No. 261 of 2016 dated 08.11.2016. The date of occurrence is 08.11.2016, on which date the brother of the petitioner had filed a case against the informant and others. The present case in which the petitioner seeks anticipatory bail was lodged after eleven days of the occurrence on 19.11.2016.

The petitioner is an agnate and neighbour of the informant.

Considering the aforesaid facts as also taking into account the clean antecedents of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Nawada in connection with Warisaliganj P.S. Case No. 277 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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