

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62495 of 2019**

Arising Out of PS. Case No.-103 Year-2019 Thana- GOPALPUR District- Gopalganj

KALI @ CHHOTU KUSHWAHA @ KANCHAN KUSHWAHA Son of
Bunilal Kushwaha Resident of Village - Adhmauli, P.S.- Gopalpur, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 23-10-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 6.7.2019 in a case registered for the offences punishable under Sections 147,148,149,323,325 and 307/34 of the I.P.C.

The petitioner is alleged to have assaulted with Farsa on the head of the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 2.3.2019, the complaint was filed on 6.4.2019, which came to be registered as police case on 20.6.2019. It is further submitted that the prescription of the doctor treating the informant does not suggest any grievous injury and there is counter version of the occurrence being Complaint Case No. 615 of 2019 filed by the petitioner's side. Statement has been



made in paragraph 3 of the petition to the effect that the petitioner is not having any criminal antecedent.

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

Considering the delayed lodging of the case and the accusation of assault not being corroborated by the medical opinion, period in custody, coupled with the fact that the petitioner is not having any criminal antecedent, let the petitioner above named 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 ACJM-XI, Gopalganj in connection with Gopalgpur P.S. Case No.103 of 2019.

(Dinesh Kumar Singh, J)

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