

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 72928 of 2019

Arising Out of PS. Case No.-40 Year-2016 Thana- BENIPATTI District- Madhubani

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AJAY KUMAR SAHAY @ AJAY SAHAY, aged about 30 years, Son of Late Devchandra Sahay, Resident of Village-Betuana, P.S.-Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 308, 504, 506 of the Indian Penal Code.

Prosecution case in brief is that on 13.03.2016 at about 11.30 A.M. he was sitting into Hanuman Mandi, situated in front of his Angan meantime petitioner reached their started abusing to why he has not cut tree of Neem and suddenly petitioner throw brick over head of informant which resulted he fell down and lastly informant claimed that petitioner has also earlier threatened him with do away his life.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence he has falsely been implicated in this case. As per FIR allegation against the petitioner is that he assaulted the informant by bricks on the head but injury is simple in nature. There is land dispute between the parties. Charge sheet has been submitted in this case and cognizance also has been taken. The petitioner has no criminal history.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Benipatti, Mudhbani in connection with Benipatti, P.S. Case No. 40 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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