

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79225 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- MADHUBAN District- East Champaran

Jaikishun Sahani, Son of Mahendra Sahani, Resident of Village - Manpurwa,
P.S.- Madhuban, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 21.10.2019 in a case registered for the offences punishable under Sections 341, 323, 324, 379, 504 and 506/34 of the Indian Penal Code and subsequently, Section 307 IPC was added vide order dated 21.10.2019.

The prosecution case as per the written report of informant, Rajesh Sahni submitted to the Station House Officer of Madhuban Police Station is to the effect that on 05.08.2019 at 9.00 P.M., the informant was coming from his uncle's house when the petitioner and other co-accused assaulted him. It is alleged against the petitioner that he assaulted the informant with knife when other co-accused persons assaulted with lathi and iron rod.

It is submitted by learned counsel for the petitioner



that for the occurrence of 05.08.2019, the FIR has been registered on 08.08.2019 when the impugned order suggests that two sharp cut injuries have been found on the person of the informant but the same has not been found to be grievous. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

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

Considering the delayed lodging of the case and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Madhuban P.S. Case No. 175 of 2019.

(Dinesh Kumar Singh, J)

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