

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10503 of 2020

Arising Out of PS. Case No.-315 Year-2019 Thana- MANJHI District- Saran

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Amit Upadhayay @ Amit Kumar Upadhyay, Son of Kripa Shankar Upadhayay Resident of Village - Mahmmadpur, P.S.- Manjhi, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh

For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 03-03-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Manjhi P. S. Case No.315 of 2019 registered for the offences punishable under Sections 147, 149, 341, 323, 504, 506, 307 and 379 of the I.P.C. and Section 27 of the Arms Act.

Although there is allegation against the petitioner that he made firing, but admittedly, the firing did not hit to the informant. Furthermore, it is alleged that petitioner assaulted the informant by butt of pistol and other accused assaulted the other persons.

Submission on behalf of the petitioner is that there is case and counter-case between the parties and persons from both



the sides sustained injuries and, therefore, the aforesaid fact shows that a free-fight had taken place between the parties. He further submits that moreover, the informant sustained simple injury said to be caused by hard and blunt substance.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties and also taking note of this fact that petitioner does not have any criminal antecedent, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIVth, Saran at Chapra in connection with Manjhi P. S. Case No.315 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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