

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35217 of 2020

Arising Out of PS. Case No.-105 Year-2019 Thana- BIRAUL District- Darbhanga

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BACHCHA MUKHIYA @ BACHCHA BABU MUKHIYA S/O Swaroop
Mukhiya Resident of Village - Kahua Jagdishpur, Police Station - Biraul,
District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 323, 324, 307,
379, 504 of the Indian Penal Code.

Allegation is that the petitioner assaulted with rod
indiscriminately causing injury on left hand of the informant.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. The injury is said to be on non-vital part of the body. The nature of injury is said to be simple. Hence no offence under Section 307 of I.P.C. is made out. At best, it is a case for an offence under Section 324 of I.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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, Biraul, District Darbhanga in connection with Biraul P.S. case No.105 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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