

Khaira, District Jamui Vs the State of Bihar

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Court : Gujarat

Decided On : May-10-2011

Judge : Gopal Prasad, J.

Acts : Indian Penal Code (IPC) - Sections 147, 447, 341, 323, 307, 504

Appeal No. : Cr. Misc. No.90 of 2011

Appellant : Khaira, District Jamui

Respondent : The State of Bihar

Judgement :

1.02/ 10.01.2011 Heard. This is a petition for anticipatory bail for offence under Sections 147, 447, 341, 323, 307 and 504 of the Indian Penal Code.

2.The allegation in the FIR is omnibus that all the nine accused persons assaulted, the injury report suggests that all the injury are simple and the petitioner was on police bail. However, the cognizance has been taken under Section 307 of the Indian Penal Code after submission of the charge-sheet. Though the charge-sheet has been filed under Section 147, 447, 341, 323, 307 and 504 of the Indian Penal Code.

3.Learned counsel for the petitioner submits that all the injuries are simple in nature and superficial. Hence, having regard to the fact and circumstance, the petitioner is released on bail, in the event of his arrest or surrender before the court below

4.within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M, Jamui in connection with Khaira P.S. Case No. 23 of 2004, subject to the conditions mentioned in Section 438 (2) of the Cr.P.C.

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