

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23519 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. RAJU PRASAD. Son of Kailash Bhagat.
2. KAILASH BHAGAT. Son of Late Lakhan Bhagat. Both residents of
Village - Dulma Bara Pakad, P.S.- Madhuban, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 09-07-2015 Heard both sides.

The petitioners apprehend their arrest in a case under
Section 307 and other sections of the Indian Penal Code.

The informant alleged that petitioner No.1, Raju
Prasad, assaulted him with Farsa on his head but he warded the
blow on his hand. Raju Prasad gave second blow on his neck on
which he fell down after becoming unconscious.

It is submitted that there is no allegation of assault
against petitioner No.2, Kailash Bhagat and there is counter
version bearing Madhuban P.S. case No. 9/2015 in which
petitioner No.1 also sustained injuries on his head.

It appears that there is very specific allegation against

petitioner No.1, Raju Prasad, that he assaulted the informant with Farsa twice and one of the injuries found on his finger has opined to be grievous, I am not inclined to enlarge the petitioner No.1 on anticipatory bail. Accordingly, the same is rejected.

So far as case of petitioner No.2, Kailash Bhagat is concerned, there is no specific allegation against him. Accordingly, Petitioner No.2, Kailash Bhagat, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana, East Champaran at Motihari in Madhuban P.S. Case No. 10 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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