

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51680 of 2014

Arising Out of PS.Case No. -376 Year- 2014 Thana -KUDHNI District- MUZAFFARPUR

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1. Navin Bhagat @ Navin Kumar Bhagat son of Mahendra Bhagat, Resident
of village- Luki Nandlalpur, P.S.- Kurhani, District- Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.1528 of 2015

Arising Out of PS.Case No. -376 Year- 2014 Thana -KUDHNI District- MUZAFFARPUR

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1. Rajesh Bhagat son of Mahendra Bhagat
2. Saroj Kumar @ Saroj Bhagat son of Dinesh Bhagat
Both resident of village- Luki Nandlalpur, P.S.- Kurhani, District-
Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.51680 of 2014)

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Madhurilata (App)

(In Cr.Misc. No.1528 of 2015)

For the Petitioner/s : Mr. Satyendra Narayan Singh

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 14-05-2015 Above noted both the applications have arisen out

of one occurrence i.e. Kurhani P.S. Case No. 376 of 2014

registered for the offences punishable under Sections 147, 149,

341, 323, 324, 379, 504, 506 and 307 of the Indian Penal Code as

such they have been heard together and are being disposed of by

this common order.

Allegedly, the petitioner Navin Bhagat, during occurrence, gave farsa blow causing bleeding on the head as well as in the eye of the informant whereas the petitioner Rajesh Bhagat gave knife blow causing injury in the palm of mother of the informant and petitioner Saroj Kumar @ Saroj Bhagat assaulted the brother of the informant by rod.

Submission is of false implication and that there is case and counter case. The injury found on the person of Kishori Devi, Awadhesh Kumar, Archana Devi and Dhanesh Kumar are mentioned in paragraph 26 to 29 of the case diary wherein on the person of the informant grievous injury has been found. There was no intention to commit murder as there is no allegation of repeating the blow and, as such, the petitioners deserve sympathetic consideration to which the learned APP opposes.

Considering that the petitioner Navin Bhagat gave farsa blow on the head and that injury has been found to be grievous in nature, and as such, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner Navin Bhagat @ Navin Kumar Bhagat, accordingly, his such prayer stands rejected.

So far as petitioners Rajesh Bhagat and Saroj

Kumar @ Saroj Bhagat are concerned, the injuries found on the victim are simple in nature, as such, both the petitioners Rajesh Bhagat and Saroj Kumar @ Saroj Bhagat, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Sanjeev Kumar Singh, J. M. Ist Class, Muzaffarpur in connection with Kurhani P.S. Case No. 376 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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