

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37481 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -KATRAHA District- VAISHALI(HAJIPUR)

1. Lagan Bhagat S/o Late Shiv Charan Bhagat R/o Village - Kartahan Buzurg, P.S. - Kartaha, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2015

Heard learned counsel for the petitioner, learned counsel for the informant and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323, 324, 341, 307, 379, 447/34 of the Indian Penal Code.

Prosecution case is that on 15.07.2014 at 7.00 A.M. the accused persons including the petitioner came to the door of the informant and asked him to withdraw the case lodged for snatching of gitiya and rupees one lac and started assaulting the informant, his son and daughter-in-law. The accused persons also snatched mobile and bicycle of the informant.

It is submitted by the learned counsel for the petitioner that accusation of assault is omnibus and general

and while considering the bail application of Dinesh Bhagat and Ganesh Bhagat, after perusing the case diary, a Co-ordinate Bench of this Court recorded that the injury has been found to be simple and granted anticipatory bail to co-accused vide Cr. Misc. No. 22805 of 2015. There is counter version of the occurrence. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. It is further submitted that the accused persons were also assaulted by the informant's side indiscriminately and some of the accused have also received injuries.

Considering the fact that the similarly situated co-accused have been granted anticipatory bail vide Cr. Misc. No. 22805 of 2015, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Kartaha P.S. Case No. 50 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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