

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6583 of 2016

Arising Out of PS.Case No. -96 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Barudan Sah @ Barodan Sah @ Bakhedan Sah Son of Basanti Sah,
Resident of Village - Sirisiya, P.S. - Yogapati, District - West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016

Petitioner is apprehending his arrest in a

case registered for the offences punishable under Sections 341,
323, 325, 354, 379, 504, 34 of the Indian Penal Code.

The prosecution case is that the buffalo of
the informant urinated which flows towards the house of the
petitioner, as a result the informant was dragged, abused by
calling caste name and assaulted. On alarm being raised the
daughters of the informant Anita Kumar and Lalita Kumar
came to rescue. It is further alleged that petitioner assaulted
Anita Kumar, whereas co-accused Chandan Sah assaulted
Lalita Kumar. It is also alleged that accused persons also
entered into the house of the informant and committed theft of
Rs. 45000/- after breaking the lock of box and also committed
theft of silver ornaments worth Rs. 10000/-.

It is submitted by learned counsel for the petitioner that for a petty dispute the accusation has been levelled and there is counter version of the occurrence. It is further submitted that it is alleged in the F.I.R that fracture was caused but the injury report brought on record suggests the injuries to be simple in nature.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the genesis of the occurrence and the accusation not being corroborated with the medical opinion, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Yogapatti P.S. Case No. 96 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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