

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15526 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

Sikandar Bhagat Son of Motilal Bhagat, Resident of Village - Harpur, P.S.
- Kuchaykote, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Kuchay Kote P.S. Case No.10 of 2016 for the offences instituted under Sections 341, 323, 324, 307, 427, 379 and 504/34 of the Indian Penal Code.

The prosecution case, in brief, as alleged in the written report of informant Kundan Kumar, is that on 5.1.2016 at about 12.00 noon there was no male member in the house, then Motilal Bhagat thrown brick from his roof due to which fiber of his house broken and the brick fell down due to which his niece became injured. On 6.1.2016 at about 8.00 a.m., the informant went to interrogate, then Motilal Bhagat, sikandar Bhagat,



Bashishth Bhagat and Sunil Bhagat having Farsa, tangi and iron rod started abusing and attacked upon him with a view to kill him. Sikandar Bhagat inflicted farsa on his head and he sustained bleeding injury and when his mother came to save him Bashishth inflicted Tangi on her head and she sustained bleeding injury and Sunil assaulted his mother by iron rod on her neck and Sikandar assaulted his sister Kunti Kumari with iron rod on her head but she sustained injury on her neck and arm and during this course daughter of Motilal Bhagat namely Una Kumari assaulted the informant with Lathi.

It is submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The alleged date of occurrence is 6.1.2016. F.I.R. has been instituted on 12.1.2016. Delay has not been explained. From perusal of the injury report, it is evident that nature of injury is simple. Hence no offence under Section 307 I.P.C. is attracted in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with

two sureties of the like amount each to the satisfaction of Chief
Judicial Magistrate, Gopalganj, in connection with Kuchaykote
P.S. Case No.10 of 2016, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

N.H./-

U		T	
---	--	---	--