

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34395 of 2016

Arising Out of PS.Case No. -105 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

- =====
1. Lallu Das @ Lalu Das Son of late Ganni Das
2. Raj Kumar Das Son of Subhash Das Both are resident of village-
Baijani, Harijan Tola, P.S.- Jagdishpur, District-Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-10-2016 Heard both sides.

The petitioners apprehend their arrest in Jagdishpur P.S.
Case No. 105/2016, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code.

The informant alleged that the children of Lallu Das had
plucked mango and broke mango tree branches that is why some
verbal altercation had taken place in the night. Lallu Das, Raj
Kumar Das along with other accused persons came, Lallu Das
assaulted Fulchi Das with iron rod on his head and Raj Kumar Das
armed with lathi assaulted the informant Moti Das which caused
injury on his eyebrow.

It appears that the injury found on the head of Fulchi

Das is opined to be grievous in nature, but injury found on the person of Moti Das is simple in nature.

Considering the facts aforesaid and the fact that Lallu Das petitioner no. 1 caused grievous injury on the head of Fulchi Das, I am not inclined to enlarge petitioner no. 1 Lallu Das on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Raj Kumar Das petitioner no. 2 is concerned, on account of assault made by him simple injury is caused to the informant Moti Das and the occurrence took place due to plucking of mango, Raj Kumar Das petitioner no. 2, in the event of his arrest or surrender before the 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 Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 105/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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