

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.499 of 2016

Arising Out of PS.Case No. -262 Year- 2015 Thana -PANCHRUKHI District- SIWAN

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1. Sri Bhagwan Bhagat, S/o Late Sanichar Bhagat, R/o Village- Hardiya,
P.S.- Pachrukhi (G.B. Nagar), District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Sanjay Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2016

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

It is alleged that accused persons including the petitioner came variously armed and surrounded the informant when petitioner assaulted with axe on the hand of the informant and when the elder brother of the informant Jitendra Prasad came to rescue then co-accused Nagina Bhagat gave spade blow. The father of the informant was also assaulted by co-accused Nagina Bhagat.

It is submitted by learned counsel for the petitioner that petitioner alleged to have made assault with axe, a sharp cut weapon but the injury report of the informant suggests two lacerated injuries of marginal size, caused by hard and blunt substance. There is counter version of the

occurrence also.

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

Considering the fact that accusation is not being corroborated with the medical opinion and there is counter version of the occurrence also, 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 Judicial Magistrate, 1st Class, Siwan in connection with Pachrukhi P.S. Case No. 262 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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