

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23768 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -PRATAPGANJ District- SUPAUL

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Ghoghan Mukhiya S/o Mahanthi Mukhiya, Resident of village- Sukhnagar,
P.S. Pratapganj, District- Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 26-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147.
149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal
Code.

The prosecution case is that the informant
was grazing cow on 04.09.2015 at 4.30 P.M. with his nephew
namely Gulshan Kumar, in the meantime, the accused persons
came and abused the informant and when the informant made
protest, the petitioner assaulted him with Farsa and thereafter the
nephew of the informant came to rescue then the petitioner
assaulted him with Farsa. Other accused persons also assaulted

the nephew of the informant and escaped from the scene.

It is submitted by learned counsel for the petitioner that the injury of the informant has been found to be simple in nature but the injury of Gulshan Kumar has been found to be grievous. There is a counter version of the occurrence also and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation caused by this petitioner, this Court is not inclined to interfere.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Pratapganj P.S. Case No. 53 of 2015 pending in the court of learned Sub-divisional Judicial Magistrate, Birpur at Supaul.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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