

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54061 of 2016

Arising Out of PS.Case No. -118 Year- 2016 Thana -BHORE District- GOPALGANJ

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1. Rambriksh Bhagat, Son of Puranand Bhagat,
2. Suresh Bhagat, Son of Rambriksh Bhagat,
3. Ramita Devi, Wife of Suresh Bhagat
4. Kundan Bhagat @ Kundan Kumar Singh, Son of Suresh Bhagat,
All 1 to 4 Resident of village - Kalyanpur, P.S. Bhorey, District - Gopalganj
..... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Bhorey P.S. Case No. 118 of 2016 registered for the offences
punishable under Sections 341, 323, 324, 307, 379, 504/34 of the
Indian Penal Code.

Allegedly, the petitioner no. 1 started abusing the
informant and assaulted with Danda on her leg, resulting, she fell
down and after hearing the hue and cry her husband Shiv Shankar
Bhagat came to rescue then petitioner no. 2 assaulted on his head
with Daab causing cut injury on the head and he also fell down
and when his son Sudish Kumar came for rescue, he was assaulted
by petitioner no. 4, Chandan Bhagat and Ramita Devi. Kundan



Bhagat petitioner no. 4 gave farsa blow but that did not hit and Sudhish Kumar fell down and then Chandan Bhagat snatched gold chain from the informant. After treatment the FIR was lodged.

Submission is of false implication and that the petitioner no. 1 is the father-in-law of the informant, petitioner no. 2 is Dewar and petitioner no. 3 is the Gotini and petitioner no. 4 is nephew of the informant and it is purely a family dispute. The injuries caused are simple in nature except one injury which is at finger was found grievous.

Learned APP submits that sharp cut wound was found on right temporal region and lacerated wound was found on parietal region on the person of Shiv Shankar Bhagat the husband of the informant and for that petitioner no. 2 is responsible.

In the facts and circumstances stated above, considering the allegation attributed against petitioner no. 2 Suresh Bhagat, I am not inclined to grant the privilege of pre-arrest bail, accordingly, his such prayer stands rejected.

So far as petitioners no. 1, 3, and 4 are concerned, they, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned 6th Additional Chief Judicial Magistrate, Gopalganj in connection with Bhorey P.S. Case No. 118 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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