

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26959 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -BAJPATTI District- SITAMARHI

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1. Navin Kumar Bhagat @ Navin Kumar S/o Nathuni Bhagat R/o Village-
Harpurwa, PS Bajpatti District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 14-07-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 of the Indian Penal Code.

The prosecution case is that on the alleged date of occurrence the accused persons came variously armed when co-accused Nathuni Bhagat assaulted the informant with farsa causing cut injury on his head, co-accused Manoj Bhagat assaulted with sword to the elder son of the informant on his head, co-accused Pramod Bhagat assaulted with iron rod to the younger son of the informant on his head and when the daughter-in-law of the informant came to rescue the petitioner Navin Kumar Bhagat assaulted on her head by chapua garasa. The wife of the informant was assaulted by co-accused Lalan Kumar Bhagat. Co-accused Pramod Kumar snatched silver chain from the neck of the daughter-in-law of the informant.

It is submitted by learned counsel for the

petitioner that the injury alleged to have been caused by the petitioner to the daughter-in-law of the informant has been found to be simple. There is counter version of the occurrence and petitioner's side also received injuries. It is further submitted that final report was submitted under the bailable provisions of the Indian Penal Code i.e. under Sections 341, 323, 324, 504 I.P.C but differing with the final form, cognizance has been taken under non-bailable provisions also.

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

Considering the fact that final report was submitted under the bailable provisions of the I.P.C, the injury caused by the petitioner has been found to be simple and petitioner's side also received injuries, 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, Pupri, Sitamarhi in connection with Bajpatti P.S. Case No. 87 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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