IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46918 of 2016

Arising Out of PS.Case No. -2911 Year- 2014 Thana -SARAN COMPLAINT CASE District- SARAN

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Babban Bhagat, Son of Late Ram Lakhan Bhagat, resident of Rajpatti, P.S.- Dighwara, District- Saran.

.... Petitioner

Versus

1. The State of Bihar
2. Kanti Devi wife of Late Ganesh Sah Resident of Village- Raipatte, P.O. & P.S.- Dighwara, District- Saran.

.... Opposite Parties

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Appearance :
For the Petitioner : Mr. Harish Kumar, Advocate.
For the Opposite Parties : Mr. Binod Kumar 3, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-12-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 2911 of 2014, registered for the offences punishable under Sections 323, 324, 325, 427, 379 and 307 of the Indian Penal Code.

The complainant alleged that firstly Umesh Bhagat repeatedly assaulted her son with Dab which caused injury on head, hands and shoulder. The petitioner Babban Bhagat is alleged to have assaulted the son of the complainant with knife.

Learned counsel for the petitioner submits that no stab injury was fond on back of Dhaneswar Sah, son of the informant. Two injuries were found one is on head and another is

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on shoulder which is attributed to Umesh Bhagat, the brother of the petitioner. There is a counter version being Dighwara P.S. Case No. 154 of 2014 which was registered on the fardbeyan of Umesh Bhagat. The complaint case was filed on 20.09.2014 whereas the occurrence took place on 04.09.2014.

Learned counsel for the complainant as well as learned APP opposed the prayer for anticipatory bail but could not be able to show any stab injury found on the back of Dhaneshwar Sah, son of the complainant.

Considering the facts aforesaid, the petitioner above named, 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 the Additional Chief Judicial Magistrate-II, Saran at Chapra in Complaint Case No. 2911 of 2014, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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