

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8088 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MEHDIGANJ District- PATNA

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Navin Kumar @ Navin Singh S/o Late Ram Lakhan Singh residing at
Present Dip Nagar, Road No. - 5, P.S. - Mehandiganj, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Uma Nath Mishra, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mehandiganj P.S. Case No. 5 of 2016 registered for the offences punishable under Sections 341, 342, 323, 504 and 307/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that he has been living as a tenant in the house of the petitioner for about one year from the date of alleged occurrence. It is alleged that when she was returning home at 6 P.M. from office of Indian Congress Party, Sadakat Asharam, petitioner called at his home. Thereafter she with her husband went there. The petitioner asked her to vacate the room and on which, the informant replied that on,



08.01.2016 the period will complete and so after 08.01.2016, I will vacate the room. On the said reply, husband of the informant became angry and uttered “Sala” and threatened to throw household articles. Thereafter, the petitioner and his wife came armed with rod and lathi respectively, and started to throw household articles. In the meantime the informant’s daughter came there and the petitioner caught hold of her arm and pushed her, when the informant prevented from doing so, Sunita Devi, wife of the petitioner assaulted her and when the informant came to rescue her daughter, the petitioner assaulted on her head with rod, as a result of which, the informant became unconscious and fell down.

It has been submitted by learned counsel for the petitioner that he is innocent and has committed no offence. It has further been submitted by the learned counsel for the petitioner that he has no criminal history as is evident from para-3 of this petition and there is a counter case i.e. Mehandiganj P.S. Case No. 8 of 2016, lodged by the petitioner against the informant and her family. The Counsel for the petitioner contends that the injury report also specifies that the injury has been found to be simple in nature. However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender within a period of eight weeks from today before the Court below be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Mehandiganj P.S. Case No. 5 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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