

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3741 of 2017

Arising Out of PS.Case No. -176 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

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1. Janak Bhagat @ Janak Prasad, son of Ramashraya Bhagat,
 2. Nand Kishore, son of Vishwanath Prasad,
 3. Pawan Kumar, son of Janak Bhagat,
 4. Baijnath Prasad @ Baijnath Sah, son of Sri Kulindra Sah,
 5. Krishna Prasad, son of Shiv Shankar Bhagat, All are resident of Village - Dhobwaliya, P.S. - Manjhagarh, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-02-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Manjhagarh P.S. Case No. 176 of 2016 registered for the offences punishable under sections 341/ 323/ 504/ 307/ 379/34 of the Indian Penal Code.

Allegedly the petitioners and co-accused Baliram Bhagat being armed with Spear, Farsa, Sword came abusing and asked the informant why he has made complaint regarding keeping of dung and thereafter, petitioner no. 2 assaulted the informant, which hit on his head. Petitioner no. 1 gave Farsa blow



and co-accused Baliram Bhagat gave sword blow on his head resulting he became injured and fell down and then gold chain was taken away by Pawan Kumar, petitioner no. 3 and further Krishna Prasad and Baijnath Prasad took away Rs. 10,450/- from the pocket of the informant. Thereafter, the villager, Dhananjay Kumar came, who was also assaulted by the accused persons causing fracture of the finger of his hand and when villagers came, the accused persons fled away from there.

Submission is of false implication and that no offence under section 307 of the Indian Penal Code is made out against the petitioners. Allegation under section 379 of the Indian Penal Code is super addition. The petitioners have got clean antecedent and as such, they deserve sympathetic consideration. There is case and counter case.

The learned A.P.P. opposed the prayer of bail.

In the facts and circumstances as stated above, the petitioners, above named, 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 Chief Judicial Magistrate, Gopalganj in connection with Manjharh P.S. Case



No. 176 of 2016, subject to the conditions as laid down in section
438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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