

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11232 of 2017

Arising Out of PS.Case No. -229 Year- 2016 Thana -ROHTAS District- SASARAM (ROHTAS)

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1. Mukesh Kumar @ Pappu Kumar, son of Yogendra Singh @ Khakhnoo Singh.

2. Baijnath Singh @ Baidyanath Singh, Son of Ram Karan Singh. Both residents of Village:- Parari, P.S.: Amjhore, District- Rohtas, (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. B. N. Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 03-04-2017 Heard both sides.

The petitioners apprehend their arrest in Rohtas (Amjhore) P.S. case No. 229 of 2016 under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that Mukesh Kumar damaged the drainage situated in front of her house and when her son, Ranjan Kumar, protested, Mukesh Kumar @ Pappu Kumar, petitioner No.1, assaulted her son with bamboo stick on his head. When the informant came to save her son, Baijnath Singh, petitioner No.2, assaulted her with Lathi on her head.

The learned counsel for the petitioners submits that the case has been compromised. The injury on the son of informant appears to be simple in nature.

It appears that Baijnath Singh @ Baidyanath Singh, petitioner No.2, is alleged to have assaulted the informant with



Lathi on her head and the injury found the head of informant appears to be grievous in nature.

Considering the fact that petitioner No.1, Mukesh Kumar @ Pappu Kumar is author of injury found on the person of Ranjan Kumar, son of the informant, and the injury is simple in nature, the above named petitioner No.1, in the event of his arrest or surrender before the learned 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 Sri Kavindra Kumar, learned Judicial Magistrate, 1st class, Dehri-on-Sone, Rohtas in Rohtas (Amjhore) P.S. Case No. 229 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of petitioner No.2, Baijnath Singh is concerned, he caused grievous injury on the head of informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner No.2 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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