

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15590 of 2017**

Arising Out of PS.Case No. -428 Year- 2016 Thana -CHAPRA TOWN District- SARAN

=====

Rajesh Kumar @ Rajesh Kumar Gupta @ Raju S/o Late Vishwa Nath Prasad, Resident of Mohalla- Sahebganj, Khanua, P.S.- Chapra Town, District- Saran at Chapra.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mrs. Anita Kumari, APP

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

**JHA**

**ORAL ORDER**

2      13-04-2017                      Heard both sides.

The petitioner apprehends his arrest in Chapra Town P.S. Case No. 428/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant alleged that while he was sitting at his darwaja his brothers Rajesh Kumar @ Raju, Ajay Kumar Gupta and Sanjay Kumar Gupta came and asked that why the informant was thinking to lock his shop. The informant replied that the shop fell in his share and he might lock the shop. Nobody can stop him, on such the petitioner and others came. The petitioner is alleged to have assaulted the informant with *Daab* on his head.

Learned counsel for the petitioner submits that the



petitioner is own brother of the informant. There is counter version bearing Chapra Town P.S. Case No. 429/2016. The injury found on the person of the informant is simple in nature.

Considering the facts aforesaid and the fact that there was scuffle between the two sides, for that there is case and counter case and the petitioner is own brother of the informant, 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 Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 428/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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