

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36609 of 2017

Arising Out of PS.Case No. -997 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. SHATRUDHAN BHAGAT @ SHATRUGHAN BHAGAT Son of
Asharfi Bhagat, R/o Village- Majhaulia, P.S.- Ahiyapur, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Ahiyapur (Muzaffarpur) P.S.Case No.997 of 2015, registered for offences punishable under Sections 341, 323, 307, 316, 379 and 504/34 of the Indian Penal Code.

Allegation against the petitioner is of causing injury on the abdomen of the informant causing miscarriage of her pregnancy.

Submission of the learned counsel for the petitioner is that for the same occurrence earlier also a case had been lodged by the 'Dewar' of the informant and he is on bail for that occurrence. There is no allegation against him of assaulting on the abdomen of the informant causing her miscarriage.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the learned court below to examine this aspect of the matter as to whether both the cases have arisen out of the same occurrence and if it is true that the petitioner is on bail in other case, he shall be released in connection with G.R.Nop.5712 of 2015 arising out of Ahiyapur (Muzaffarpur) P.S.Case no.997 of 2015 dated 3.11.2015 to the satisfaction of C.J.M., Muzaffarpur.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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