

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14197 of 2017

Arising Out of PS.Case No. -499 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Krishna Bhagat, Son of Ramdeyal Bhagat, resident of Village- Basman
Pur, P.S.- Muffasil, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-04-2017 Heard learned counsel for the petitioner and the learned A.P.P. for
the State.

The petitioner seeks bail in connection with Muffasil P.S. Case
No.499 of 2016 registered under Sections 341, 342, 323, 307, 302 and
504/34 of the Indian Penal Code.

The accusation of the informant Ram Balak Bhagat is that on
27.12.2016, in the morning, due to breaking of the pillar of his house,
the petitioner started to abuse his son Pramod Kumar. In the meantime,
Rajesh Prasad, the brother of the petitioner, assaulted at the head of
Sheo Chaurasia, the elder son of the informant, through bamboo blow,
causing blood oozing injury. In the occurrence, Sandip Kumar, the son
of the petitioner, also participated. While Sheo Chaurasia was rushed
for treatment to Sadar Hospital, Motihari and Rahmania Hospital,



Motihari, but due to his serious condition, he was referred to Tara Nursing Home, Patna, where he died in course of treatment on 28.12.2016 at about 03.10 P.M..

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. with the allegation that at the time of occurrence, he abused Pramod Kumar, the son of the informant, but no allegation has been made against the petitioner to cause injury to the deceased Sheo Chaurasiya, the elder son of the informant rather there is specific allegation against Rajesh Prasad, the brother of the petitioner, to cause assault to the deceased Sheo Chaurasiya, the elder son of the informant. The petitioner having no criminal antecedent is in custody since 05.01.2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Muffasil P.S. Case No.499 of 2016.

(Rajendra Kumar Mishra, J)

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