

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51915 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -SURYAPURA District- SASARAM (ROHTAS)

Jaglal Singh, Son of Late Sheo Muni Singh, Resident of Village - Shivobahar, P.S. Surajpur, District Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 10-11-2017

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 379 and 307/34 of the Indian Penal Code.

The prosecution case got initiated on the written report of Phulkumari Devi to the effect that 04.05.2017 at 8.00 P.M. the petitioner Jaglal Singh, co-accused Asha Devi and Chandan Kumar entered into the house of the informant and started abusing and assaulting the informant. The petitioner assaulted on the head of the informant by means of lathi due to which the informant got fracture injury when the son and daughter of the informant came to rescue they were also assaulted. The bone of contention was that there theft was committed in the house of the informant as a result she was



abusing people in general in retaliation to that the occurrence took place.

It is submitted by learned counsel for the petitioner that the informant received only one injury which has been found superficial simple in nature and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. So far as the accusation of assault to the son and daughter of the informant is concerned, there is omnibus and general accusation but their injury report is not on record and in the background of trivial issue the accusation of assault has been levelled.

Learned APP submits that there is specific accusation of assault to the informant against the petitioner.

Considering the fact that the injury received by the informant was found to be simple in nature and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial



Magistrate, Bikramganj, Rohtas in connection with Surajpura
P.S. Case No. 57 of 2017, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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