

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28861 of 2018

Arising Out of PS. Case No.-492 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Rabin Bhagat @ Ravindra Bhagat, Son of Indu Bhagat @ Indradeo Bhagat,
Resident of Village- Aadharpur, P.S.- Nufassil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore, APP

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

ORAL ORDER

2 09-05-2018

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Samastipur (Mufassil) P.S. Case No. 492 of 2017 registered under Sections
447, 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that, on 19.08.2017, in the evening, three
persons named in the F.I.R. including the petitioner due to land dispute
came in the field of the informant and started to plough his field. When the
informant made protest then they came at his door having stick and Chura
and started to cause assault to him. At that time, Indra Bhagat gave Chura
blow at the forehead of the informant.

Learned counsel for the petitioner submits that, in fact, due to
land dispute occurrence took place, regarding which, Samastipur
(Mufassil) P.S. Case No. 523 of 2017 was also instituted on 03.09.2017 on
the basis of written complaint filed by co-accused, Indradeo Bhagat,



against the informant of the present case and others. Moreover, while the petitioner is named in the F.I.R. but no specific overt act has been attributed against the petitioner as the specific allegation is against co-accused, Indradeo Bhagat to give knife blow at the forehead of the informant. It is further submitted that the injuries found on the person of the informant are simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-5, Samastipur, in connection with Samastipur (Mufassil) P.S. Case No. 492 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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