

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19881 of 2018

Arising Out of PS. Case No.-441 Year-2017 Thana- MAJORGANJ District- Sitamarhi

Abhijeet Singh @ Abhijit Singh, S/o Chunchun Singh, resident of Village-
Dumari Kala, P.S. Majorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 147,148,341,323,324 and 307 of the IPC.

The prosecution case got initiated with the fardbeyan of Vishal Kumar recorded by the ASI of Majorganj Police Station on 20.10.2017 at 9.15 A.M. at Referral Hospital, Majorganj is to the effect that on 19.10.2017 at 8 P.M. the informant with his co-villager Krishna Mohan Singh and Pushkar Kumar went to village Dumari Kalan to worship. After worship they were returning home, in the meantime, the accused persons variously armed, surrounded the informant and two others. On the order of Rakesh Singh, co-accused Anand Mohan assaulted Krishna Mohan Singh with Khukhri causing bleeding injury



on his head. Co accused Satyendra Singh tried to strangle Krishna Mohan Singh by tying rope around his neck, as a result, he became unconscious and co-accused Anand Mohan assaulted with Kukhri to Pushkar Kumar causing bleeding injury on the neck, as a result he became unconscious whereas co-accused Rahul Kumar Singh assaulted the informant with knife causing injury on the left hand. In the meantime, the petitioner and co accused Satyendra Singh assaulted the informant and others with lathi.

It is submitted by learned counsel for the petitioner that the accusation is not even specific against the petitioner. The impugned order does not suggest that the injury has been found grievous. There is counter version of the occurrence being Majorganj 445 of 2017 registered under sections 341,323 and 308/34 of the IPC. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

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

Considering the nature of accusation against the petitioner being omnibus and general as he along with co-accused Satyendra Singh are alleged to have assaulted all the



three persons and the impugned order does not suggest that the injury was caused by the petitioner, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM I, Sitamarhi in connection with Majorganj P.S. Case No.441 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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