

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72244 of 2018

Arising Out of PS. Case No.-16 Year-2018 Thana- KUCHILA District- Bhabhua (Kaimur)

Bhagelu Dom, S/o Late Ramchandra Dom @ Naga Dom, Resident of
Village- Mukharaw, P.S.- Kuchhila, District- Kaimur (Bhabua).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Yogendra Kumar, Advocate.
For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 307, 504 and 506/34 of the IPC.

The prosecution story, in brief, is the petitioner and others started assaulting the mother of the informant and petitioner (Bhagelu Dom) assaulted at the head of informant's mother by *Lathi* during the occurrence and then informant and his brother came there and intervened to save the said injured but they were also allegedly assaulted by the other co-accused. Three persons have sustained injuries.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. The



petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Kaimur (Bhabua), in connection with Kuchhila P.S. Case No. 16 of 2018/G.R. No. 2024 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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