

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23575 of 2018

Arising Out of PS.Case No. -196 Year- 2016 Thana -FATEHPUR District- GAYA

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Mahesh Singh, Son of Late Sudama Singh, resident of Village- Kothar,
P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Smt. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 26-04-2018

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 308,
323, 341, 504 and 506/34 of the Indian Penal Code.

The prosecution case got initiated with the
written report of Shivadani Singh dated 24.07.2016 submitted to
the Station House Officer, Fatehpur P.S., to the effect that on
24.07.2016 at 8.30 A.M. the goat of the informant was sitting
near the tractor, in the meantime, the petitioner, Mahesh Singh



came and assaulted the goat causing fracture of the leg of the goat. On protest being made, he conveyed that since the goat grazed the crop, hence, the goat's leg has been fractured, whereupon the petitioner assaulted to the informant also with lathi. In the meantime, co-accused Alok Kumar came and he also assaulted the informant.

It is submitted by learned counsel for the petitioner that in the background of petty dispute the accusation has been levelled. The FIR was registered on 24.07.2016 which reached to the Court on 27.07.2016 which reflects that the FIR has been antedated. The injury has been found simple in nature. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the accusation is specific against the petitioner.

Considering the genesis of the occurrence and the injury being found simple in nature, 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 Judicial Magistrate, Ist Class, Gaya in



connection with Fatehpur P.S. Case No. 196 of 2016, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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