

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34228 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -GARDANIBAGH District- PATNA

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1. Ram Bhajan Pd. Gupta @ Ram Bhajan Pd. S/o Late Jogeshwar Pd. , R/o
Salem Pur Ahra, P.S.- Gandhi Maidan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 29-06-2018 Heard both sides.

The petitioner apprehends his arrest in Gardanibagh
P.S. Case No.23 of 2018 registered under Sections 341, 323, 308,
354, 379, 506/34 of the Indian Penal Code.

The informant alleged that when her husband Uday
Shanker Prasad came out from his house to go to his office,
Rambhajan Prasad, the petitioner, his son and three unknown
persons came and began to abuse the informant. There was some
dispute for measurement of land. Rambhajan Prasad, the petitioner
assaulted the husband of the informant with iron rod on his head
and the petitioner is also snatched money from the possession of
her husband.

The learned counsel for the petitioner submits that



there is a counter version being Gardanibagh P.S. case No.20 of 2018. The offence under Section 308 I.P.C. is made out as the injury found on the forehead of the husband of the informant is simple in nature and there is no repetition. Both sides have compromised the case.

Considering the facts aforesaid that there is a case and counter case and the injury found on the person of the husband of the informant is simple in nature and the case is compromised, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge XIV-cum-A.C.J.M., Patna in connection with Gardani Bagh P.S. Case No.23 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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