

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11766 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- BAJPATTI District- Sitamarhi

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Jagdish Rai @ Jagdish Ray, (Male), aged about 47 Years, Son of Ganeshi Rai
Resident of Village - Bangraha, P.S.- Bajpatti, Dist.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sangeet Deokuliar, Advocate.

For the Opposite Party : Mr.Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2019 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 147, 148, 149, 341, 323,
307, 447, 379, 504 and 506 of the IPC.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, accused persons including the
petitioner variously armed came to the house of informant
Deepak Kumar and assaulted him and injured Sheoji Rai and
Harish Chandra Rai with Lathi, Farsa and Iron rods and took
away cash of Rs. 20,000/- and ornaments after breaking box
kept in the house of the informant.

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



There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. 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. Sitamarhi, in connection with Bajpatti P.S. Case No. 45 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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