

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13061 of 2019

Arising Out of PS. Case No.-236 Year-2018 Thana- MAHARAJGANJ District- Siwan

MITHLESH SINGH @ MITHLESH KUMAR SINGH, Male, aged about 40 years, Son of Rajaram Singh, Resident of Village- Risaura, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-03-2019 Heard both sides.

The petitioner apprehends his arrest in Maharajganj P.S. Case No.236 of 2018 registered under Sections 307, 379 and other Sections of the Indian Penal Code.

The informant disclosed that on 29.10.2018, he asked Mithlesh Singh to remove his chips and sand kept on the land of the informant, on such, Mithlesh Singh(the petitioner), Nitesh Singh, the brother of the petitioner having armed with farsa came and on the order of Nitesh Singh, the petitioner assaulted the informant with farsa on his head and Nitesh Singh is said to have taken out Rs.2000/- from the pocket of the informant. The occurrence is said to have taken place on account of dispute with regard to road situated in front of the house of the informant and petitioner.

The learned counsel for the petitioner submits that there is no repetition of blow. No sharp cut injury was found on the head of the informant. One injury that too simple in nature is



found on the head of the informant caused by hard and blunt object. Such injury might have caused on account of scuffle took place between two sides and not by assault by any sharp edge weapon.

Taking into consideration the fact that the occurrence appears to have taken place on account of land dispute and the dispute with regard to egress and ingress of both sides and the injury although said to have been caused by farsa but the injury is opined to be simple in nature and caused by hard and blunt object, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Siwan in connection with Maharajganj P.S. Case No.236 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

