

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15743 of 2019**

Arising Out of PS. Case No.-302 Year-2018 Thana- SIMRI District- Buxar \*

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Jitendra Ram, Son of Phagu Ram @ Fagu Ram, Resident of Village -  
Khairapatti, P.S.- Simari, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satyapal Singh  
For the Opposite Party/s : Mr. Satyavrat Verma

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

2      14-03-2019                      Heard learned Counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending arrest in a case registered  
for the offences punishable under Sections 341, 323, 379, 307,  
504, 506 and 354/34 of the Indian Penal Code.

The prosecution case as per the written report of Baby Devi  
submitted to SHO, Simri Police Station is to the effect that on  
27.12.2018 at about 6.00 P.M., when the informant and her  
daughter were walking, in the meantime, all the four FIR named  
accused persons, namely Phagu Ram, Ranjan Ram, Yogendra  
Ram and Jitendra Ram (the petitioner) started making some  
filthy comments on them. On protest being made, they started  
assaulting them and on alarm being raised, when the husband of  
the informant, Satyendra Kharwar came to rescue them, then the



accused persons assaulted her husband with lathi, danda and iron rod. It is specifically alleged that co-accused Ravi Ranjan Ram assaulted on the head of husband of the informant with iron rod causing bleeding injury. Thereafter, the petitioner assaulted on the right arm of the husband of the informant. It is further alleged that co-accused Phagu Ram and son of co-accused, Jitendra Ram caught hold of informant's hair and pushed her down on the ground and assaulted with fists while the co-accused Ravi Ranjan Ram snatched a gold chain of the informant.

It is submitted by learned counsel for the petitioner that the assault made by the petitioner on the right arm of the husband of the victim has been found simple in nature and there is counter version of occurrence, being complaint case no.3(C/2019). It is further submitted that even assuming the accusation to be true, the petitioner had no intention to kill the husband of the informant. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation of assault is against the petitioner of causing injury on the right arm of the husband of the informant.

Considering the fact that injury has been found



simple superficial in nature and genesis of occurrence, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Buxar** in connection with **Simari P.S. Case No. 302 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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