

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18326 of 2019

Arising Out of PS. Case No.-171 Year-2018 Thana- MADHUBAN District- East Champaran

Rajendra Bhagat Son of Late Khaga Bhagat Resident of Village - Bhawarua,
P.S.- Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 447 and 504/34 of the IPC.

The prosecution case, as per the written report of Sujit Prasad, dated 20.08.2018, submitted to the Station House Officer, Madhuban Police Station, is to the effect that on the same day at about 9 A.M., the informant was sitting near his door, in the meantime, all the five FIR named accused person including the petitioner came and started abusing the informant and on protest being made, the petitioner assaulted the informant with farsa causing cut injury on his head and when the wife, brother and sister-in-law of the informant came to



rescue him then they were also assaulted.

It is submitted by learned counsel for the petitioner that there is no accusation of repeating blow against the petitioner and the injury of the informant has been found superficial simple in nature. It is further submitted that for the alleged occurrence of 20.08.2018 at about 9 A.M., the FIR was lodged on the same day at about 5.35 P.M., whereas the FIR reached to the Court of learned CJM on 23.08.2018, which suggests that by antedating, the FIR has been lodged. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the delayed reaching of the FIR to the Court of learned CJM and the injury being found superficial simple in nature, coupled with the 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/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 like amount each to the satisfaction of



learned ACJM-IV, East Champaran at Motihari in connection
with Madhuban P.S. Case No. 171 of 2018, subject to the
condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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