

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19853 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- TERHAGACHH District- Kishanganj

Sita Ram Singh @ Kathu, Son of Hub Lal Singh, Resident of Village-Kajleta,
P.S-Terhagachh, District-Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 447 and 504 of the Indian Penal Code.

The prosecution case, as per the fardbeyan of Radha Devi recorded by S.I. Umesh Prasad Singh of Terhagachh P.S. at PHC, Terhagachh on 16.09.2018 at 8.30 P.M., is to the effect that on the same day at 6.00 P.M. the informant was cleaning the front portion of her house, in the meantime, petitioner came with sharp cutting weapon and forbade the informant to clean the house. On protest being made, the petitioner assaulted the



informant on head and left elbow.

It is submitted by learned counsel for the petitioner that in the background of a petty dispute, the accusation has been levelled against the petitioner. The injury report suggests two lacerated and one bleeding injury skin deep with marginal size has been found. The accusation is of assault by sharp cutting weapon whereas the doctor has opined that the injury has been caused by hard and blunt substance. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation is specific against the petitioner.

Considering the accusation not being corroborated by medical opinion and statement being made in paragraph 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Terhagachh P.S. Case No. 86 of 2018, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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