

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34865 of 2019

Arising Out of PS. Case No.-328 Year-2018 Thana- BAJPATTI District- Sitamarhi

Rajiv Bhagat, Son of Makhan Bhagat, Residence of Village Belahiya, P.S. Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 05.04.2019 in a case registered for the offences punishable under Sections 341, 323, 307, 427, 325, 504 and 506/34 of the Indian Penal Code.

It is alleged that in the background of land dispute, the informant was assaulted at the hands of the accused persons including the petitioner causing fracture injury on his left hand, when the son of the informant, Dharmendra Bhagat went to make protest, then the petitioner assaulted the son of the informant with knife on the back of his head and snatched Rs.4,000/- from his pocket.

It is submitted by learned counsel for the petitioner



that in the background of land dispute, the accusation has been levelled against the petitioner. The injury has been found simple. It is further submitted that there is a counter version of the occurrence also and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation of assault against the petitioner to the son of the informant.

Considering the fact that the accusation has been levelled in the background of serious land dispute, there is no accusation of repeating the blow, injury has been found simple and there being a counter version of the occurrence, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bajpatti P.S. Case No. 328 of 2018.

(Dinesh Kumar Singh, J)

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