

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48233 of 2019**

Arising Out of PS. Case No.-15 Year-2019 Thana- PHULPARAS District- Madhubani

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NARESH KUMAR SAH @ NARESH SAH S/o Kapleshwar Sah R/o village-
Balua, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-08-2019 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 447, 448, 341, 323,
324, 307, 354 and 380/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Gita
Devi, recorded by A.S.I. Dhyani Paswan Phulparas Police
Station on 19.01.2019 at 6.00 P.M. at Referral Hospital,
Phulparas is to the effect that on 19.01.2019 at 3.30 P.M. when
the informant was at her house, all the accused persons,
including the petitioner, variously armed came and thereafter



co-accused, Praveen Kumar Sah and Navin Kumar Sah dragged the informant to the courtyard by catching her hands and the petitioner assaulted on her head with an axe. It is also alleged that co-accused Ram Kashi Devi snatched a gold chain and a earring from the informant whereas co-accused Navin Kumar Sah and Praveen Kumar Sah pulled the sari of the informant as a result, the informant became semi naked. It is further alleged that co-accused, Kapelshwar Sah assaulted the informant with a lathi.

It is submitted by learned counsel for the petitioner that the accusation against the petitioner is making assault with an axe but the bruise injury has been found on the forehead of the informant which is simple in nature caused by hard and blunt substance. It is further submitted that though the petitioner is accused in one other case apart from the present case, but in this case he is on bail.

It is submitted by learned APP for the State that the accusation is specific against the petitioner.

Considering the injury being found simple in nature, let the above named petitioners 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, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No.15 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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