

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48300 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- BIRAUL District- Darbhanga

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Gajendra Sahu, Son of Late Bihari Sahu @ Lal Bihari Sahu Resident of
Village-Gora (Banda Chauk), P.S.-Biraul, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Atul Chandra

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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 his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 379/34 of the Indian Penal Code.

The prosecution case is that in the background of land dispute the petitioner assaulted with khanti on the head of the informant when the husband, Rajendra Sahu and son, Chandan Sahu came to rescue, they were assaulted by other accused persons and co-accused Samila Devi snatched gold locket worth Rs.30,000/-.



It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled. The injury has been found to be simple in nature caused by hard and blunt substance. It is further submitted that there is a counter versions of the occurrence also being Biraul P.S. Case No. 150 of 2019 registered with accusation under Sections 341, 323, 324, 354, 379 and 504/34 of the Indian Penal Code. 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.

Considering the fact that there is no accusation of repeating blow, the injury has been found to be simple in nature and genesis of the occurrence being land dispute 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 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 Additional Chief Judicial Magistrate, Biraul, District - Darbhanga in connection with



Biraul P.S. Case No. 132 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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