

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55314 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- BHAGWAN BAZAR District- Saran

SURENDRA BAHELIA Son of Late Timal Bahelia, Resident of Mohalla -
Masumganj, P.S.- Bhagwan Bazar, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-09-2019 Let the supplementary affidavit filed on behalf of the
petitioner be kept on the record.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bhagwan Bazar P.S. Case No.153 of 2019 registered under
Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal
Code.

The accusation is that on 02.04.2019 at about 09.00
P.M., due to dispute of plucking the wood-apple (Bail), five
persons, named in the F.I.R., including the petitioner came at the
house of the informant and started to abuse. When the
informant made protest, then Mantu Baheliya, Pintu Baheliya



and Bharat Baheliya caught hold of the informant and Munna Baheliya, taking the knife from his pocket, started to cause assault to the informant due to which the informant sustained cut injury on the left side of his chest and naval and the blood started oozing out. In the meantime, this petitioner took the knife from his pocket and started to cause assault to the informant, due to which the informant sustained cut injury on the left side of his waist and the blood started oozing out and he fell down on the ground. In that course, all started to cause assault to the informant through legs, fists, slaps and danda.

Learned counsel for the petitioner submits that while the allegation against the petitioner has been made to cause injury on the left side of the waist of the informant through knife and others to cause injury through knife on the left side of his chest and naval but only three injures were found on the person of the informant, which are simple in nature caused by hard and sharp substance. In fact, due to plucking of the wood-apple, the occurrence of “Maar-Peet” took place between the parties in which the petitioner’s side also sustained injury regarding which Complaint Case No.986 of 2019 was lodged by the co-accused Munna Baheliya against the informant and his family members in the court of the Chief Judicial Magistrate, Chapra, Saran.



The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran, Chapra, in connection with Bhagwan Bazar P.S. Case No.153 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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