

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57098 of 2019**

Arising Out of PS. Case No.-72 Year-2019 Thana- ISHAKCHAK District- Bhagalpur

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ROHAN SINHA @ ROHAN KUMAR SINHA @ CHOUTU @ CHOTU Son
of Bikku Sinha @ Ajay Kumar Sinha Resident of Mohalla- Shyamal Das
Lane, P.S.- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Kumar Jain

For the Opposite Party/s : Mr.Rajiv Nayan

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

ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ishakchak P.S. Case No.72 of 2019 registered under
Sections 341, 323, 504, 506, 447 and 307/34 of the Indian Penal
Code.

The accusation is that the informant Veena Devi
received call on her mobile number from 19.05.2019 to
25.05.2019 through Mobile Nos.6203447655, 7667858506 and
7549847644 and the callers of the aforesaid mobile numbers
used to abuse her. Thereafter, the informant informed about the
said incident to her neighbour Sanjay Kumar Yadav and when
he made call on Mobile No.6203447655, then the person, who



received the aforesaid call on that mobile number disclosed his name as Sunny Kumar. Thereafter, Sanjay Kumar Yadav asked him not to harass the informant. On 26.05.2019 at about 09.00 A.M., Sunny Kumar along with his friend Rohan Sinha alias Chotu (petitioner) and others came at the house of the informant and started to abuse her, giving threatening to kill. When the informant came out from her house, then they bent upon in assaulting her. When Sanjay Kumar Yadav rushed to save the informant, they started to commit “Maar-Peet” with him. In that course, this petitioner pelted bricks at the head of Sanjay Kumar Yadav causing blood oozing injury on his head.

Learned counsel for the petitioner submits that while the allegation against the petitioner has been made to cause head injury by pelting bricks to Sanjay Kumar Yadav but the injury, as found on his person, is simple in nature. In fact, the informant and the petitioner are next door neighbours and due to petty dispute, the occurrence of “Maar-Peet” took place between the parties in which the petitioner’s side also sustained injury regarding which on the basis of the fardbeyan of Sunita Devi, the mother of the petitioner, Ishakchak P.S. Case No.73 of 2019 was also instituted against the prosecution party. 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, Bhagalpur, in connection with Ishakchak P.S. Case No.72 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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