

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60979 of 2019**

Arising Out of PS. Case No.-128 Year-2017 Thana- HATHUA District- Gopalganj

MADAN LAL SINGH @ MUKHIYA Son of Late Sri Bhagwan Singh
Resident of Village- Mirzapur, P.S.- Hathua, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan
For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 16-10-2019 Heard both sides.

The petitioner apprehends his arrest in Hathua P.S.
case No. 128 of 2017 registered under Section 341, 323, 324,
308, 337, 504, 34 of the IPC.

The informant alleged that petitioner being the
Mukhiya came along with other accused persons and forcibly
got constructed PCC road on the land of informant. When the
informant object, the accused persons assaulted the informant.

The learned counsel for the petitioner submits that, of
course, the informant named the petitioner as Mukhiya but the
informant did not make any allegation that petitioner assaulted
him. The allegation of assault is made against Bidyabhushan
Baitha. All the injuries found on the person of injured are simple
in nature. The case has been compromised.



Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that there is no allegation of assault against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to 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 Mr. Udai Pratap, learned Judicial Magistrate, 1st class, Gopalganj in connection with Hathua P.S. case No. 128 of 2017 , subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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