

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59644 of 2019**

Arising Out of PS. Case No.-631 Year-2018 Thana- NARPATGANJ District- Araria

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KAMRUL BAITHA @ KRAMUL Son of Bahadur Baitha, Resident of
Village- Rewahi- Bhawanipur, P.S.- Narpatganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-09-2019 Heard both sides.

The petitioner apprehends his arrest in Narpatganj P.S.
Case No.631 of 2018 registered under Sections 307, 379 and
other sections of the Indian Penal Code.

The informant named the petitioner along with others
and alleged that they having armed with different weapons came
and on the order of Habib Baitha, accused Soyab and Haroon
assaulted Jahangir Baitha with farsa and sword. When the
nephew of the informant went to save, Kamrul Baitha
(petitioner) is said to have assaulted him with farsa on his head.
The other accused persons assaulted the family members of the
informant.

Learned counsel for the petitioner submits that there
is a counter version being Narpatganj P.S.Case No.632 of 2018.



The petitioner and other accused persons are agnates of the informant. On account of some petty dispute, both sides engaged in mutual assault on each other. The petitioner is alleged to have assaulted Md. Firoz (nephew of the informant) with farsa on his head and one lacerated wound was found, which is opined to be simple in nature.

Having considered the facts that the petitioner is only alleged to have assaulted Md. Firoz, who received simple injury on his head, and there is a counter version in which it appears that both sides engaged in mutual assault on each other, the above named petitioner, in the event of his arrest or surrender before the learned 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 furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Narpatganj P.S. Case No.631 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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