

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66139 of 2018**

Arising Out of PS. Case No.-153 Year-2018 Thana- KAKO District- Jehanabad

Suraj Chaudhary @ Suraj Kumar S/o Chunnu Chaudhary R/o Village-
Pakhanpura,P.S. Kako, Distt.-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha
For the Opposite Party/s : Mr.Sri Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

6 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Md. Mosim submitted before the Station House Officer, Kaki Police Station is to the effect that on 23.06.2018 at 4.00 P.M., the informant was digging a ditch for storage of drain water, then all the accused persons variously armed came, abused the informant and started assaulting him. It is further submitted that when the wife of the informant came to rescue, then all the accused persons surrounded her and the petitioner assaulted on her head with a lathi, causing her head injury and



thereafter all the accused persons brutally assaulted her with lathi and iron rod.

It is submitted by learned counsel for the petitioner that accusation has been levelled in the background of dispute with regard to drainage. It is further submitted that though the wife of the informant is alleged to have been assaulted brutally by all the accused persons including the petitioner with danda and iron rod, but only two injuries have been found on her person being simple in nature caused by hard and blunt substance. It is further submitted that though the petitioner is accused in one other case apart from the present case, but in that case he is on bail.

It is submitted by learned APP for the State that there is specific accusation of assault in the FIR against the petitioner.

Considering the genesis of the occurrence being drainage dispute, the accusation not being corroborated with the medical report coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



Judicial Magistrate, 1st Class, Jehanabad, in connection with
Kako P.S. Case No.153 of 2018, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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