

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83775 of 2019**

Arising Out of PS. Case No.-102 Year-2019 Thana- SHIVSAGAR District- Rohtas

Radhe Shyam Singh, Son of Late Basudeo Chaudhary, Resident of Village-
Bhagwaliya, P.S.-Sheosagar, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Uday Chand Prasad

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

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The prosecution case is that on 16.03.2019 at 12.00 P.M., all the accused persons including the petitioner started abusing the informant with regard to the partition dispute. It is alleged against the petitioner that he assaulted both the sons of the informant, namely, Suraj Kumar and Narayan Kumar and when the wife and daughter of the informant came to rescue, the petitioner pelted stones over them. The petitioner also assaulted the daughter of the informant, namely, Guddi Devi.



It is submitted by learned counsel for the petitioner that one of the injuries of the son of the informant has been found grievous when the petitioner received six injuries and there is counter version of the occurrence being Sheosagar P.S. Case No. 103 of 2019 with accusation under Sections 341, 323, 307 and 504/34 of the Indian Penal Code lodged by daughter of the petitioner against the informant and others. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation of assault is specific against the petitioner.

Considering the genesis of the occurrence, accusation levelled in the background of partition dispute, there being a counter version of the occurrence also and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram in connection with Sheosagar P.S. Case No. 102 of



2019, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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