

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23095 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- KOTWALI District- Munger

RAJ KUMAR BHAGAT Son of Shivnandan Bhagat Resident of Mohalla -
Basudeopur, P.S.- Kotwali, Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan
For the State : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 448, 341, 323, 379, 307, 504, 506/34
of the Indian Penal Code.

Allegedly, when the informant after returning from her
duty was washing her hands, all of a sudden, the accused



persons having armed with Lathi, Khanti, iron rod came there and assaulted her as a result of which, she sustained bleeding injury. It is also alleged that when her husband came to rescue her, he was also assaulted.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The petitioner is alleged to have caused injury on the non-vital part of the body. No offence u/S 307 of the Indian Penal Code is made out. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Munger in connection with Kotwali
P.S. Case No. 27 of 2020 subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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