

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25555 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- DANDARI District- Begusarai

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BAMBHU SINGH S/o Late Kedar Singh, Resident of Village- Mohanpur,
P.S.- Dandari, Dist- Begusarai. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-10-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Dandari P.S.
Case No.12 of 2020 registered under Sections 341, 323, 307,
504 and 34 of the Indian Penal Code.

The informant alleged that the petitioner and his two
sons busied the informant. When the informant protested, the
petitioner and his two sons started assaulting the informant with
stick on his head and other parts of the body. The blood started
oozing from his head. The informant fell down on the ground
after becoming unconscious. The occurrence took place on
account of fishing in Gandak river.

Learned counsel for the petitioner submits that the
occurrence took place on 01.02.2020 but the informant made his
statement on 03.02.2020. The informant was very much
conscious even then he lodged the case after two days of the
occurrence. The injury report as annexed as Annexure 2 shows



that Mahesh Sahni (informant) got one lacerated wound in right side of occipital region. The injury appears to be superficial and the doctor has opined the nature of the injury as simple. The allegation of the informant that the petitioner and his two sons indiscriminately assaulted him with *danda* on his head and other parts of the body is falsified because only one injury is found, that too, is superficial and simple in nature.

Having considered the facts that the informant alleged that the petitioner and his two sons indiscriminately assaulted the informant on his head and other parts of the body but only one injury is found, which is superficial and simple in nature, the petitioner, above named, 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 A.C.J.M. V, Begusarai in connection with Dandari P.S. Case No.12 of 2020, 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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