

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82185 of 2019**

Arising Out of PS. Case No.-244 Year-2019 Thana- HARNAUT District- Nalanda

Ram Uday Singh Son of Late Bharat Singh Resident of Village - Baruntar,  
P.S.- Harnaut (Kalyanbigha O.P.), District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Awadhesh Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

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

3      14-02-2020                      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 447, 504, 341, 323, 307 and 379/34 of the Indian Penal Code.

The prosecution case, as per the fardbeyan of Ramanugrah Singh recorded by Dharmendra Wind S.I., PMCH O.P., Patna on 31.05.2019 at 2.00 P.M. in Emergency Ward, PMCH, is to the effect that the informant's she calf entered into maize field of the petitioner, Ram Uday Singh then the informant got his she calf tied. Thereafter, the informant's neighbour, the petitioner, Ram Uday Singh and other FIR named co-accused persons came armed with iron rod and started abusing the informant. On protest being made, the petitioner ordered to kill on which, co-accused Ajit Kumar and Sujit Kumar assaulted the informant with iron rod which hit on the



upper portion of his left eyebrow and it is further alleged that co-accused Sujit Kumar assaulted on the head of the informant which caused injury on the informant's middle finger of his right hand, in the meantime, petitioner took away Rs.2000/- from the pocket of the informant. It is alleged that when the wife of the informant, Sushila Devi came to rescue him then co-accused Muni Devi and wife of co-accused Ajit Kumar armed with iron rod assaulted her also causing bleeding injury.

It is submitted by learned counsel for the petitioner that for a dispute with regard to grazing of the she calf, the accusatioThough, the medical opinion with regard to one of the injuries of the informant has been kept reserved. A statement has been mn of assault has been levelled against the petitioner and other co-accused persons. There is a counter version of the occurrence being Harnaut P.S. Case No. 245 of 2019. The injury has been found superficial in nature and there is no allegation of repeating the blow. It is further submitted that the petitioner and his two daughters also received injury and they were referred to Referral Hospital, Kalyan Bigha, Harnaut. Though, the medical opinion with regard to one of the injuries of the informant has been kept reserved. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary



submits that the informant received two injuries and opinion with regard to one of the injuries has been kept reserved.

Considering the fact that the accusation of assault is against four persons when only two injuries have been found the genesis of occurrence being grazing of the crop, coupled with the 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, Biharsharif, Nalanda in connection with Harnaut (Kalyan Bigha) P.S. Case No. 244 of 2019 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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