

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39164 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- PARSAUNI District- Sitamarhi

1. RAMASHISH BHAGAT Son of Late Narayan Bhagat R/o Village - Madanpur, P.s. - Parsauni, District - Sitamarhi
2. Archana Devi Wife of Ram Ishwar Bhagat R/o Village - Madanpur, P.s. - Parsauni, District - Sitamarhi
3. Sujeet Kumar Son of Ram Ishwar Bhagat R/o Village - Madanpur, P.s. - Parsauni, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-05-2021 Heard Mr. Ashok Kumar Jha, learned counsel for the petitioners and Mr. Md. Aslam Ansari, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Parasauni P.S. Case No. 17 of 2020 instituted for the offences under Sections 341, 323, 307/34 of the Indian Penal Code.

The accusation in the First Information Report is that all the accused persons came with knife and dagger and petitioner no. 3 Sujeet Kumar assaulted Ram Jinish Bhagat by the knife which hit him in his abdomen. The injury suffered by



the victim is stated to be grievous.

Learned counsel for the petitioners has submitted that the accusation of assault has been specifically attributed to petitioner no. 3 and there is only one abdomen injury on the victim. The petitioner nos. 1 and 2 have unnecessarily been made accused in this case because of their relationship with petitioner no. 3.

Considering the nature of accusation against petitioner no. 3, I am not inclined to grant anticipatory bail to him.

The prayer for bail of petitioner no. 3/ Sujeet Kumar is rejected.

Since the petitioner nos. 1 and 2 are not the authors of grievous injury on the informant, they are directed to be released on bail in the event of their arrest or surrender before the Court below within a period of eight weeks from the date of receipt / production of a copy of this order on furnishing bail bonds in the sum of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Parasauni P.S. Case No. 17 of 2020 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

While saying so the Court has also taken note of the



fact that the occurrence is said to have taken place on 08.03.2020 but the F.I.R. was lodged on 14.03.2020 and that petitioner nos. 1 and 2 do not have criminal antecedents.

The petition stands disposed off accordingly

(Ashutosh Kumar, J)

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