

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52608 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- BABUBARHI District- Madhubani

Kunj Bihari Prasad Son Of Ram Udgar Paswan R/O Village- Baunsi, P.S.-
Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Jha

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 307, 354(A) and other allied sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence, all the accused persons including petitioner variously armed attacked the informant. This petitioner assaulted the informant by means of Dabia on his head. When the wife of informant came to rescue, this petitioner along with co-accused Braj Bihari disrobed her.

It is submitted that both parties are own *Gotia*. Petitioner and informant are own brothers. Due to petty dispute scuffle took place between the parties. Injury report does not



support the allegation as alleged in the FIR. Though there is allegation of assault by sharp cut weapon Dabia, but the injury caused by hard and blunt substance mentioned in the injury report.

Considering the backdrop in which scuffle took place, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six 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 the learned Sub-Judge Ist, Madhubani in connection with Babubarhi P.S. Case No. 23 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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