

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.451 of 2022

Arising Out of PS. Case No.-110 Year-2017 Thana- RUPAULI District- Purnia

GOPI KRISHNA BHAGAT @ FUDO BHAGAT S/o Bishunudeo Bhagat R/o
village- Gaiduha, P.S.- Rupauli, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Prasad Sinha, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

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

The petitioner is apprehending his arrest in Rupauli P.S. Case
No. 110 of 2017 registered under Sections 147, 148, 149, 341, 342,
323, 304 and 447 of the Indian Penal Code.

Allegation against the accused persons including the petitioner
is of giving axe blow on the head of the informant.

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 made accused in the present case due to mistake of fact. As
per allegation, the petitioner is said to have given single axe blow on
the head of the informant. There is case and counter case between the



parties. Free fight is alleged to have taken place between the parties. Though the case has been instituted for an offence under Section 304 of the Indian Penal Code but from perusal of the record, it appears that none is said to have died in course of the occurrence. No offence u/S 304 of the Indian Penal Code is attracted in the present case. Rest of the offences are bailable.

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, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on 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, Purnea in connection with Rupauli P.S. Case No. 110 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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