

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63920 of 2024

Arising Out of PS. Case No.-358 Year-2022 Thana- JAMUI District- Jamui

=====

Raj Kumar Bhagat @ Raj Kumar @ Bhola Bhagat Son of Late Satya Narayan
Bhagat Resident of Mohalla - Purani Bazar, P.S. and District – Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Jamui P.S. Case No. 358 of 2022 registered under Sections 448,
341, 323, 354A, 504 and 307/34 of the Indian Penal Code and
Section 3 / 4 of the Witch (Daain) Practices Act.

3. As per the prosecution case, on 14.07.2022 at about 9
a.m., while informant was at her house, in the meantime, all the
accused persons including this petitioner came there and started
manhandling her. It is further alleged that accused persons
caught hold of informant, threw her on the ground and also tore
her blouse, due to that, informant sustained injury on her chin,
head and hand. It is further alleged that prior to this occurrence,
on 10.07.2022 also, the accused persons have committed same



offence, in which, her husband and son sustained injuries, for which, informant had also given information to the police station.

4. Learned counsel appearing on behalf of the petitioner submits that both parties are *pattidars* and due to partition dispute, a simple occurrence of *Maarpit* took place. Allegation of assault is general and omnibus and no specific overt act has been alleged against this petitioner. FIR has been lodged after an inordinate delay of 7 days without any plausible explanation for the same. Similarly situated co-accused has already been granted bail by this Court *vide* order dated 07.02.2024 passed in Cr. Misc. No. 1603 of 2024. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail by contending that petitioner is named in the First Information Report with the allegation of assault.

6. Having considered the facts and circumstances of the case and similarly situated co-accused has already been granted bail, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Jamui in connection with Jamui P.S. Case
No. 358 of 2022, subject to the conditions as laid down under
Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

