

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65487 of 2024

Arising Out of PS. Case No.-217 Year-2017 Thana- MAIRWAN District- Siwan

Shivnath Bhagat S/O Late Babu Ram Bhagat Resident of Village - Moti
Chhapar, Police Station - Mairwa, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Mairwa P.S. Case No. 217 of 2017 dated 04.07.2017, instituted for the offence punishable under Sections 147, 149, 323, 324, 341, 307, 354(B), 379, 313, 511, 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he assaulted his in-laws and when the complainant went to rescue them, he also assaulted the complainant upon stomach due to which she fell on the ground. It is further alleged that the petitioner along with Bijendra Bhagat with bad intention pulled the clothes of the complainant due to which she became naked.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that initially a complaint case was lodged



after 32 days of the occurrence without any plausible explanation of delay which was later converted in Mairwa P.S. Case No. 217 of 2017. It is submitted that both the parties are agnates. It is submitted that injury report at Annexure-2 reveals that nature of injury mentioned is simple in nature. Lastly, it has been submitted that he has one criminal case, which was lodged by daughter-in-law of the present informant.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Mairwa P.S. Case No. 217 of 2017, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Siwan, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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