

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38163 of 2015

Arising Out of PS.Case No. -481 Year- 2014 Thana -WAJIRGANJ District- GAYA

- =====
1. Krishna Murari Singh son of late Bachu Singh, resident of village-Chowar, Police Station- Wazirganj, District- Gaya.
 2. Dilip Singh son of Suresh Singh.
 3. Suresh Singh son of Late Husaini Singh.
 4. Pade Paswan @ Pande Paswan S/o Saryu Paswan.
 5. Subodh Paswan son of Saryu Paswan.
 6. Matho @ Pramod Kumar @ Pradeep son of Suresh Singh. All are resident of Village- Sarkanda, Police Station- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Narendra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 23-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,323 and 307 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that the accused persons assaulted the informant with bhala, garasa and iron rod when the son of the informant came to rescue then he was also assaulted.

It is submitted by the learned counsel for the petitioners that for the dispute with regard to the

construction of road the accusation has been levelled. Statement has been made in paragraph 11 of the petition that there is no injury report on record which reads as follows:

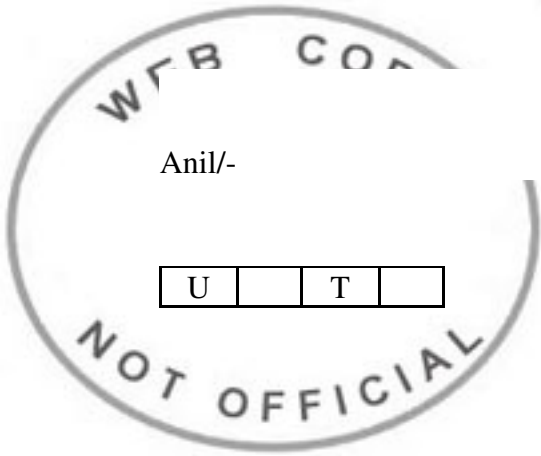
“That absolutely no offence under section 307 of the Indian Penal Code is made out against any of the accused persons. The injury report is not on the record also creates doubt about the institution of the First Information Report.”

It is further submitted that the accusation of assault is omnibus and general and there is counter version of the occurrence also where the petitioners side has claimed to have received injuries. Petitioner no. 1 is accused in two other cases – one under sections 307,323 and 324 IPC whereas the other under section 406 IPC and petitioner nos. 2 to 6 are accused in a case under section 353 IPC.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Gaya in connection with Wazirganj (Tankuppa) P.S. Case No.481 of 2014 subject to the conditions as laid down under



Section 438(2) Cr.P.C.



Anil/-

(Dinesh Kumar Singh, J)