

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5090 of 2015

Arising Out of PS.Case No. -212 Year- 2014 Thana -KHARAGPUR District- MUNGER

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1. Bipin Khirhari son of Ganesh Khirhari
2. Guddu Kumar Son of Shankar Yadav Both resident of West Aazimganj,
P.S. Haveli Kharagpur, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. R.B.Rai Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-02-2015

Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307 384, 386, 427, 452, 397, 380, 325, 354, 504 and 506 of the Indian Penal Code.

It is alleged that Amar Khirhari, Mukesh Kumar along with two other persons came and demanded the donation from the informant and on non-giving of the demanded amount, the informant was assaulted and when the father of the informant came to rescue then these petitioners assaulted the father of the informant.

It is submitted by learned counsel for the petitioners that the injury of the father of the informant has been found to be

swelling and pain when there is no accusation against the petitioners to have made assault to the informant and there is counter version of the occurrence. Though, a statement has been made in para 3 of the petition that petitioner no.1 is accused in 8 cases but a supplementary affidavit has been filed that actually the petitioner no.1 is accused in seven cases and out of seven, in six cases he has been acquitted and in one case he is on bail.

Considering the fact that petitioners are only alleged to have assaulted the father of the informant who received superficial injury, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Munger in connection with Kharagpur P.S. Case No. 212 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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