

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15951 of 2015

Arising Out of PS.Case No. -476 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

1. Brajesh Mishra son of Mahendra Mishra resident of Village - Lal Saraiya, P.S. - Majhaulia, District - West Champaran.
2. Sunil Thakur son of Sri Dhruv Thakur resident of village - Chhota Bangra, P.S. - Sugauli, District - East Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma
For the Opposite Party : Mr. Meena Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-04-2015 Heard learned counsels for the petitioners
and the State.

Petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 147,
148, 149, 302, 307, 323, 324, 341, 120B of the I.P.C.

It is alleged that accused persons including
the petitioners assaulted the father of the informant. The
specific accusation of assault to the father of the informant is
against Nagendra Thakur. When the brother of the informant
came to rescue then he was also assaulted. Subsequently
father of the informant succumbed to the injuries. The
postmortem report reflects one lacerated injury and cause of
death has been opined as due to chronic illness when the
brother of the informant received one lacerated, one bruise of

marginal size.

It is submitted by learned counsel for the petitioners that there is no accusation of assault against the petitioners and there is counter version of the occurrence also.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that accusation has not been corroborated by the postmortem/injury report and the accusation of assault is not specific against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No. 476 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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