

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20998 of 2015

Arising Out of PS.Case No. -105 Year- 2013 Thana -NAUHATTA District- SAHARSA

1. Chalitar Keshari S/o Late Sonu Keshari
2. Kailash Keshari S/o Chalitar Keshari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners being father and brother of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341/323/324/307/379/504/34 of the Indian Penal Code.

The specific accusation of assaulting on the head of the informant with 'lathi' is against petitioner no.2 Kailash keshri whereas co-accused Badri Keshari assaulted with knife on the eyes of the informant and co-accused Rajeev Keshari took away gold chain from the informant.

It is submitted by learned counsel for the petitioners that in the background of *bona fide* land dispute the accusation

has been levelled and out of four injures three injuries have been found to be simple when fourth injury for which the opinion has been reserved, caused by co-accused Badri Keshri. Moreover, the informant has retracted from initial version and has filed a petition to that effect before the learned court below, the same has been brought on record as annexure-3 to the petition. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

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 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 Chief Judicial Magistrate, Saharsa in connection with Nauhatta P.S. Case No.105 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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