

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27974 of 2014

Arising Out of PS.Case No. -285 Year- 2013 Thana -GAYGHAT District- MUZAFFARPUR

- =====
1. Jitendra Bhandari, Son of Late Mahavir Bhandari
 2. Dharmendra Bhandari, Son of Late Mahavir Bhandari
 3. Gudari Bhandari, Son of Late Ram Sharan Bhandari
 4. Siya Sundar Devi, Wife of Late Mahavir Bhandari
- All of village- Dahiya West Tola, P.S.- Gaighat, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Krishna Singh, Advocate

For the Opposite Party/s : Mr. M.Dayal(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

5 08-01-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehending their arrest in connection with Gaighat P.S. Case No. 285 of 2013 registered for the offence under Sections 341, 323, 325, 307, 448, 380/34 of the Indian Penal Code seeks privilege of pre arrest bail.

Allegedly, when the informant was going to his house from back side, the petitioners and co-accused Lalit Bhandari came and assaulted with lathi and iron rod, causing tear injury on his head and then the informant became senseless and thereafter when Urmila Devi came for rescue, she was assaulted by the petitioner Jitendra Bhandari with iron rod and further they took away cash of Rs.5,000/- kept in

attache.

Submission is that there is no allegation for repeating blow, in the case diary there is no injury report. The occurrence took place due to previous enmity and as such the petitioners deserve sympathetic consideration to which the learned APP opposes.

Considering that there is no specific allegations against any of the petitioners and previous enmity also admitted one and as such in case of arrest or surrender before the court below within one month from the date of receipt/production of a copy of this order, the petitioners namely Jitendra Bhandari, Dharmendra Bhandari, Gudari Bhandari and Siya Sundar Devi shall be released on bail on execution of bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Gaighat P.S. Case No. 285 of 2013 with condition as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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