

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30904 of 2014

Arising Out of PS.Case No. -19 Year- 2014 Thana -HATHAURI District- SAMASTIPUR

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1. Ramashray Mandal S/o Sukan Mandal
2. Sit Kumar Mandal S/o Ramashray Mandal
Both resident of vill.- Ramaul, P.S.- Athauri (O.P. Shivajinagar), District-
Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Sharda Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection
with Hathauri P.S. Case No. 19 of 2014 registered for the offences
punishable under Sections 147, 148, 149, 323, 324, 447, 307,
379/504 of the Indian Penal Code.

Allegedly, the petitioner Sit Kumar Mandal
assaulted Kusheshwar Prasad Singh on his head with Farsa and
when Vivek Kumar Singh tried to rescue, he was assaulted by
petitioner Ramashray Mandal on his head and all other assaulted
thereafter. Due to alarm being raised, the witnesses came there and
saved their lives. The occurrence took place due to the quarrel

between the children at the time of playing cricket.

Submission is that there is case and counter case. The injury has not been found dangerous to life rather simple in nature vide annexure-2 series to which the learned counsel for the informant and learned APP oppose by submitting that injury no. 2 of injured Kusheshwar Prasad Singh was found grievous in nature as X-ray shows fracture of bone of left leg.

Considering the fact that the injuries which have been caused by the petitioners are found simple in nature and there is case and counter case, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, 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 the learned A..C.J.M., Rosera in connection with Hathauri P.S. Case No. 19 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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