

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34271 of 2014

Arising Out of PS.Case No. -442 Year- 2013 Thana -PATORI District- SAMASTIPUR

1. Nago Das, Son of Ramashray Das
2. Tulsi Das
3. Pancha Das @ Panch Kumar Das, Both Sons of Mehar Das, All resident of Village-Dashara Balu Par, P.S.-Patori (Mohanpur O.P.), District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Ashok Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-02-2015 Heard both sides.

The petitioners apprehend their arrest in a case registered under Section 307 and other sections of the Indian Penal Code.

Informant-Manoj Das made allegation that three accused persons surrounded him and petitioner No.1 Nago Das assaulted him with sickle causing injury on his palm. It is further alleged that petitioner No.2 Tulsi Das and petitioner No.3 Pancha Das assaulted him with lathi.

It is submitted that the injury report shows that the informant got injury on his palm, which is stitched wound. No injury was found on any part of his body. There is a counter

version as petitioner No.1 Nago Das lodged Complaint Case No.2562 of 2013, on the basis of which Patory P.S. Case No.8 of 2014 was lodged.

From the perusal of the record it appears that there is allegation that petitioner No.1,namely, Nago Das, assaulted the informant with sickle and corresponding injury on the palm was found.

Considering the facts aforesaid, I am not inclined to enlarge petitioner No.1, namely, Nago Das, on anticipatory bail. Accordingly, the prayer for anticipatory bail made on his behalf is rejected.

So far as petitioner no.2 and 3 are concerned, they assaulted the informant with lathi, but no corresponding injury was found on any vital part of the body of the informant.

Considering the facts aforesaid, petitioner No.2 Tulsi Das, and petitioner No.3 Pancha Das @ Panch Kumar Das, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, in connection with Patory

(Mohanpur O.P.) P.S. Case No.442 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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