

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28182 of 2015

Arising Out of PS. Case No. -106 Year- 2014 Thana -HASPURA District- AURANGABAD

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1. Dula Kumar @ Dula Kuwar @ Kula Kuer W/o late Jitu Rajbanshi.
2. Suresh Rajbanshi S/o Permeshwar Rajbanshi.
3. Saroj Rajbanshi S/o Butali Rajbanshi.
4. Jitendra Rajbanshi S/o Suresh Rajbanshi.
5. Gorelal Rajbanshi S/o Suresh Rajbanshi
All resident of Village Dindir, P.S. Haspura, District Aurnagabad.(Bihar)
..... Petitioners

Versus

The State of Bihar
..... Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kr Singh No. 6, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-07-2015 It is stated that the petitioner no. 5 has already been arrested and as such his application has become infructuous.

2. As prayed, the anticipatory bail petition as against petitioner no.5, namely, Gorelal Rajbanshi is permitted to be withdrawn and is dismissed as such.

3. Heard learned counsel for the petitioners and learned APP for the State.

4. The petitioners apprehend their arrest for the offences alleged under Sections 341. 342. 447. 323. 504 and 307 read with Section 34 of the Indian Penal Code registered in connection with Haspura P.S. Case No.106 of 2014.

5. It is submitted that there is a case and counter case

between the parties who are Gotias in which both the parties have suffered injuries. It is further submitted that all the injuries on the informant's side attributed by reason of assault by the petitioners are simple in nature. The petitioners claim clean criminal antecedent.

6. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Haspura P.S. Case No. 106 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

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(Vikash Jain, J)