

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28746 of 2015

Arising Out of PS.Case No. -360 Year- 2014 Thana -FATEHPUR District- GAYA

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1. Abadh Kishore Kumar
 2. Sudhir Kumar Both son of Rajeshwari Prasad
 3. Pritam Kumar Son of Goura Sao
 4. Kamlesh Kumar Son of Shri Chado Prasad All residents of Village - Raisir, P.S. - Fatehpur, District - Gaya.
 5. Gunjan Kumar Son of Maheshwar Prasad resident of Village - Dhirodh, P.S. - Sirdalia, District - Nawadah.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015 The petitioners are apprehending their arrest in Fatehpur Town P.S.Case No.360/14 for the offences instituted under Sections 147, 149, 341, 323, 307 and 504 of the I.P.C. and 3(1)(X) of SC/ST Act.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that after victory in the election of Chairman of Pacs when the informant went to the nearby village to worship in the temple with victory procession then these petitioners wrongfully confined them and challenging them for their arrival in the village in such manner not only abused

the informant and others uttering the filthy words including caste name continuously assaulted him till he fell down and became senseless, though in course of making such assault the informant reiterated time and again not to do so as he was ready to return back therefrom. Subsequently with the help of people the informant was brought to the Primary Health Centre, Fatehpur wherefrom after giving first aid he was referred to Magadh Medical College and Hospital, Gaya for better treatment.

On behalf of the petitioner it has been submitted that it is out and out a mala fide case. It is further submitted that the occurrence is said to have taken place on 8.11.2014 but as per the F.I.R. the present case was instituted on 11.11.2014 and no explanation has been given regarding delay in lodging the case which shows the falsity of the case. It is further submitted that the petitioner has no criminal antecedent.

On behalf of the State it is submitted that the petitioner has been named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M.,

Gaya, in Fatehpur P.S. Case No.360/14 subject to the conditions
as laid down under Section 438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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