

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33617 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -MUFFASIL District- AURANGABAD

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1. Ashok Singh S/o Ramashish Singh
 2. Rahul Kumar S/o Mrityunjay Singh
 3. Rohit Kumar @ Chhotu S/o Mrityunjay Singh All three are resident of Village- Jasoiya, P.S.- Aurangabad (T), District- Aurangabad.
 4. Piyush Kumar S/o Brahmanand Sahay, resident of Mohalla- Karma Road, P.S.- Aurangabad (T), District- Aurangaabd.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 15-10-2015

Heard both sides.

The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner No.2, Rahul Kumar. Accordingly, the anticipatory bail petition of Rahul Kumar, petitioner No.2, is dismissed as withdrawn.

The petitioners No.1, 3 and 4 apprehend their arrest in a case under Section 307, 387, 386 and some other sections of the Indian Penal Code and under section 27 of the Arms Act.

Manoj Kumar, the informant, named Sani Kumar, Rahul Kumar and three unknown persons and alleged that they having armed with hockey stick and cricket bat entered into

canteen of the informant and assaulted the informant and his staff and took away Rs. 70,000/ from the cash counter and snatched his golden chain worth Rs. 35,000/-.

It is submitted that the petitioners did not participate in the first occurrence which took place in the canteen of the informant but the informant named the petitioners and alleged that on the same date, i.e., 01.06.2015 at about 5.40 PM the petitioners and others have come in the logistic department of cement company and misbehaved with Pravin Mitra. It is submitted that Pravin Mitra did not lodge any case and the informant did not name the petitioners with regard to occurrence taken place in his canteen. Aurangabad Muffasil P. S. case No. 112/2015 was lodged for the occurrence in cement factory in which the petitioners have already been granted anticipatory bail vide order dated 01.09.2015 passed in Cr. Misc. No. 34330 of 2015.

Considering the facts aforesaid, the petitioners Nos. 1, 3 and 4, above named, 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 bail 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, Aurangabad

in Muffasil P.S. Case No. 111 of 2015, 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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