

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37705 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -SURYAPURA District- SASARAM (ROHTAS)

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1. Biku Kumar S/o Kanhaiya Singh
2. Prince Kumar
3. Golden Kumar Both Sons of Binod Singh
All Resident of village - Bahura, P.S. Surajpura, District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 17-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 506/34 of the Indian Penal Code, 27 of the Arms Act and 3(1) (x) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is of assaulting the brother of the informant Jyoti Kumar when he refused to provide Tobacco and resorted to fire.

It is submitted by learned counsel for the petitioners that on protest being made for grazing crop of the petitioners' side the accusation has been levelled. For the

occurrence of 13.05.2015 at 6.30 P.M. the FIR was registered on 14.05.2015 at 4.00 P.M. which reached to the court of learned Magistrate on 16.05.2015 which suggests that the FIR has been registered by antedating. It is further submitted that no injury has been caused and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bikramganj, Rohtas in connection with Surajpura P.S. Case No. 26 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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