

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42034 of 2015

Arising Out of PS.Case No. -311 Year- 2014 Thana -GHOSI District- JEHANABAD

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1. Ripu Kumar
 2. Punami kumari Both son & Daughter of Sri Birendra Prasad.
 3. Usha Devi wife of Sri Birendra Kumar
 4. Upendra Prasad@Upendra Kumar Son of Ishwar Mahto
 5. Janmejayn Kumar
 6. Juli kumar@Jili Kumari All resident of Village- Mira Bigha, P.s Ghosi, district Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh
For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-10-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307 and 504 of the Indian Penal Code.

The prosecution case is that the petitioner being the agnates of the informant inflicted injury with sickle on the eye, mouth, forehead and chest of the informant. It is specifically alleged that petitioner no.1 and 3 tied the legs and hands of the informant whereas co-accused Birendra Prasad and Awadhesh Prasad tried to strangle the informant.

It is submitted by learned counsel for the petitioners that

in the background of land dispute, the accusation has been levelled. Though, the injury has been found to be grievous, but no injury has been found on the hands and legs of the informant as it is alleged against petitioner no.1 and 3 that they tied the hands and legs of the informant. For the occurrence of 15.11.2014 at 4 PM, the FIR was lodged on 16.11.2014 at 4.15 PM. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that specific accusation against petitioner nos. 1 and 3 is to have tied the legs and hands of the informant but no corresponding injury has been found, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jehanabad in connection with Ghosi P.S. Case No. 311 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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