

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45011 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -KATEYA District- GOPALGANJ

- =====
1. Murari Dubey S/o Late Ambika Dubey
 2. Satish Dubey S/o Murari Dubey
 3. Chitranjan Dubey S/o Late Kedar Dubey
 4. Ramesh Mishra S/o Ramjanak Mishra All resident of village- Bhathawa,
P.S.- Kateya, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Dr. M.K. Gautam (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-10-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,342,323,324,325,307 of the Indian Penal Code.

The prosecution case is that the informant's father and brother were going to market when four accused persons assaulted the father of the informant causing fracture of hand. Petitioner no. 1 assaulted with farsa to the brother of the informant on head when the uncle of the informant came to rescue then he was also assaulted.

It is submitted by the learned counsel for the petitioners



that the accusation is specific only against petitioner no. 1 Murari Debey whereas with regard to the injury of informant's father and uncle, opinion has been kept reserved but apparently it appears to be superficial simple in nature. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. It is further submitted that the petitioners side at earlier point of time lodged Complaint Case No. 1336 of 2013 against the informant side.

Considering the specific accusation against petitioner no. 1, this court is not inclined to grant anticipatory bail to him. However, let the learned court below consider the prayer for regular bail of the petitioner no. 1 in case the petitioner no. 1 surrenders within six weeks from today in connection with Kateya P.S. Case No. 111 of 2015 pending in the court of learned C.J.M. Gopalganj.

So far as petitioner nos. 2 to 4 are concerned, since the accusation is omnibus and general and Statement being made in paragraph 3 of the petition that they have no criminal antecedent, let them be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of learned CJM, Gopalganj in connection with the
aforementioned case subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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