

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46795 of 2015

Arising Out of PS.Case No. -157 Year- 2015 Thana -BANIAPUR District- SARAN

- =====
1. Om Prakash Singh Son of Bindeshwari Singh
 2. Indrajeet Singh Son of Gulab Singh
 3. Tarkeshwar Singh Son of Late Kamaldeo Singh
 4. Ramesh Singh Son of Late Kamaldeo Singh
 5. Mukesh Singh Son of Late Kamaldeo Singh All Resident of Village - Bhithi Bazar, P.S.- Banipur, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 02-11-2015 Learned counsel for the petitioners submits that petitioner No.3, Tarkeshwar Singh, during the pendency of the anticipatory bail application, has been arrested and, accordingly, he seeks permission to withdraw the application so far as petitioner No.3 is concerned with liberty to file a bail application before the court below.

The application is, accordingly, dismissed as withdrawn with respect to petitioner No.3, Tarkeshwar Singh, with the liberty sought.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners pray for anticipatory bail in a case registered under Sections 341, 323, 307 and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that both the parties are agnates and due to misunderstanding and quarrel for taking out water from the hand-pump, the informant had fallen and sustained injuries on his head. In any case, as per the injury report the head injury has been found to be simple in nature caused by hard and blunt substance. It is further submitted that the petitioners do not have any criminal history. It is also submitted that the parties have subsequently entered into a compromise and had filed a compromise petition in the court below which has been annexed as Annexure-2 to the anticipatory bail application.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Om Prakash Singh, (2) Indrajeet Singh, (3) Ramesh Singh and (4) Mukesh Singh, in the event of their arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in connection with Baniapur P.S. Case No.157 of 2015, subject to the other conditions as laid down under Section 438 (2) of the Cr.P.C.

V.P.Sinha/-

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(Ramesh Kumar Datta, J)