

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39302 of 2015

Arising Out of PS.Case No. -580 Year- 2014 Thana -BARACHATTI District- GAYA

- =====
1. Ganauri Rabidas son of Mangaru Rabidas
 2. Baldeo Rabidas son of Shobhan Rabidas
 3. Ajay Kumar son of Ganauri Rabidas
 4. Sudheshar Rabidas son of Mulha Rabidas
 5. Bineshar Rabidas @ Bineshwar Rabidas son of Mulha Rabidas
 6. Ganesh Rabidas son of Sudheshwar Rabidas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 06-10-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 323, 341, 307, 504 and 506 of the Indian Penal Code.

The prosecution case is that 12 accused persons including the petitioners came variously armed and assaulted the informant when brother of the informant namely Ashok Ravidas came to rescue, then non-petitioners Chandan Ravidas, Heman Ravidas and Madan Ravidas assaulted the brother of the

informant and cut his penis.

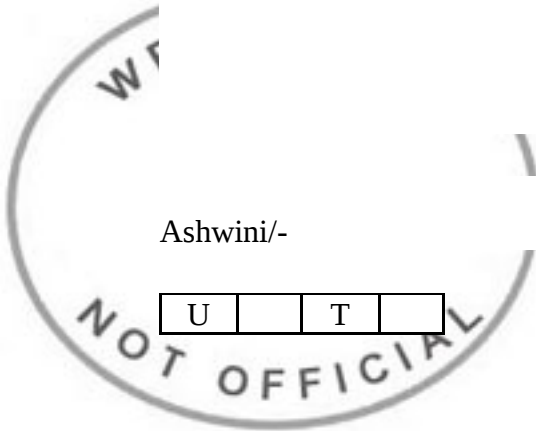
It is submitted by learned counsel for the petitioners that none has received any injury except Ashok Ravidas. A statement to that effect has been made in paragraph 7 of the petition which reads as follows :-

"7. That only Ashok Rabidas is only the injured person in this case. Other persons have not sustained injury. The Ashok Rabidas has sustained injury which is simple in nature."

Learned counsel for the petitioner further submits that the injury report of injured Ashok Rabidas shows that he received one lacerated wound on shaft of penis but the nature of injury is found to be simple caused by hard and blunt substance. Moreover, a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation of assault to Ashok Ravidas is against non-petitioners and the petitioners having no criminal antecedent, 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 Judicial Magistrate, 1st Class, Gaya in connection with Barachatti

(Mohanpur) P.S. Case No.580 of 2014, subject to the conditions
as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)