

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51121 of 2015

Arising Out of PS.Case No. -19 Year- 2015 Thana -JADOPUR District- GOPALGANJ

- =====
1. Jitendra Kushwaha
 2. Harendra Kushwaha @ Harendra Kumar, 1 & 2 are S/o – Pashpati Bhagat
 3. Most. Lalita devi, W/o Late Kailash Bhagat, 1 to 3 are R/o village – Niranjama, P.S. Jadopur, District – Gopalganj.
 4. Chunnilal Bhagat @ Chunnilal, S/o Bhuteli Bhagat, R/o village – Nayatola Bhathawa, P.S. Kuchaikot, District – Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Md.Arif(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 09-11-2015

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 447, 341, 323, 324 and 307/34 of the Indian Penal Code.

The prosecution case is that when the informant made protest for laying foundation of the construction of the house on his land the accused persons came, variously armed and petitioner no. 1 Jitendra Kushwaha inflicted Farsa on the head of the informant causing injury when the wife and the

daughter of the informant came to rescue then the accused persons also assaulted them.

It is submitted by learned counsel for the petitioners that the informant of the present case assaulted with axe on the head of the father of petitioner no. 1 when other persons of the informant side also assaulted the father of the informant with lathi and danda, who subsequently succumbed to the injury leading to registration of Jadopur P.S. Case No. 18 of 2015 against the informant of the present case and other persons on 15.03.2015 and thereafter the present case was registered on 16.03.2015 to save the skin of the informant and others from the case lodged by the petitioners' side at earlier point of time. The injuries of the informant, his wife and daughter of the informant have been found superficial simple in nature.

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, Gopalganj in connection with Jadopur P.S.
Case No. 19 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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