

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56751 of 2015

Arising Out of PS.Case No. -276 Year- 2015 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Umesh Prasad @ Umesh Prasad Gupta S/o Late Laxman Prasad
 2. Manoj Kumar Gupta
 3. Pramod Kumar Gupta
- Both sons of Umesh Prasad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-12-2015

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, 323, 324, 379, 307, 449/34 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the accused persons came at the house of the informant started abusing by calling caste name when petitioner no.2 Manoj Kumar Gupta and petitioner no.3 Pramod Kumar Gupta assaulted on the head of the informant with iron rod. It is further alleged that when wife of the informant came to rescue, then she was also assaulted by the accused persons whereas it is alleged against co-accused Ranjan

Kumar that he took Rs.500/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that admittedly the occurrence took place inside the house of the informant, which cannot be treated a place of public view and the injuries have been found to be simple in nature. There is counter version of the occurrence also wherein petitioners' side have received grievous injury.

In view of the fact that petitioners' have received grievous injuries, it is a case for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Maharajganj P.S. Case No.276/2015, pending before the learned CJM, Siwan.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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