

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32004 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -BHANGWANPUR HAT District- SIWAN

- =====
1. Harendra Singh
 2. Surendra Singh Both sons of Late Sipahi singh of Morachhi P.s Bhagawanpur District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015 At the outset, it is submitted by learned counsel

for the petitioners that petitioner no.2 Surendra Singh has

been arrested. Hence, this application so far as it relates to

petitioner no.2, has become infructuous.

Heard learned counsels for the petitioners and

the State.

The petitioner no. 1 is apprehending arrest in a

case registered for the offences punishable under Sections

307,147,148,149,379,341,323 and 324 of the Indian Penal

Code.

It is alleged that though the petitioners assaulted

with farsa to the informant in the background of land

dispute, thereafter the FIR named accused persons assaulted with lathi on the head of the informant when brother of the informant came to rescue, he was also assaulted with farsa and fifteen thousand rupees were snatched.

It is submitted by the learned counsel for the petitioners that the FIR does not reflect that any injury was actually caused by the assault made by the petitioners. It is further submitted that the accusation of assault is against ten persons whereas informant has received four injuries and out of them one injury is incised injury and rest injuries have been found to be lacerated in nature. The petitioners are agnates of informant side. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that accusation is not being corroborated by the medical opinion, let the above named petitioner no. 1 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) with two sureties of the like amount each to the satisfaction of learned

CJM, Siwan in connection with Bhagwanpur Hat P.S. Case
No.74 of 2015 subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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