

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53591 of 2015

Arising Out of PS.Case No. -95 Year- 2015 Thana -THAWE District- GOPALGANJ

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1. Chand Babu Son of Late Ali Mohammad,
 2. Najma Khatoon, Wife of Late Ali Mohammad,
 3. Munna Mohammad,
 4. Suddam Hussain,
 5. Arman Mohammad, All 3 to 5 are sons of Late Ali Mohammad, All 1 to 5 residents of village - Chitu Tola, P.S. Thawe, District - Gopalganj.
- Petitioner/s

Versus

1. The State of Bihar
- Opposite Party/s
- =====

Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-11-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code.

The prosecution case is that petitioner No. 1 threw cow-dung on the informant and when the informant made protest then accused persons started assaulting the informant. Petitioner No. 3 assaulted with danda causing uprooting of teeth while co-accused Bablu Mohammad gave hockey stick blow on leg causing fracture injury. When nephew of the informant came to rescue then he was assaulted by petitioner No. 3.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been levelled. The specific accusation is only against petitioner No. 3

Munna Mohammad. Though injury of the informant has been found to be grievous, but injury of the nephew of the informant has been found to be simple in nature.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the specific accusation against petitioner No. 3 Munna Mohammad, let learned Court below consider the prayer for regular bail of petitioner No. 3, Munna Mohammad, if he surrenders within a period of six weeks in connection with Thawe P.S. Case No. 95 of 2015, pending in the Court of learned Chief Judicial Magistrate, Gopalganj.

So far as other petitioners are concerned, since there is no specific accusation against them and they having no criminal antecedent, let the petitioners, above named, except petitioner No. 3, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 95 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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