

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56146 of 2015

Arising Out of PS.Case No. -11 Year- 2015 Thana -JANTA BAZAR District- SARAN
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- 1. Krishna Pandey S/o Ramnath Pandey
- 2. Laldeo Pandey S/o Late Rakshman Pandey
- 3. Ashdeo Pandey S/o Late Shiv Gopal Pandey

All are resident of Village- Senduar P.S. Janta Bazar District- Saran.

.... Petitioner/s

Versus

- 1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 506, 504 of the Indian Penal Code.

The prosecution case is that all the 11 First Information Report named accused persons came to the house of the informant and on order of petitioner no. 2 Laldeo Pandey made indiscriminate assault to the



informant. It is specifically alleged that when Rajeshwar Kunwar came to rescue, then petitioner no. 1 Krishna Pandey assaulted with farsha on his head. It is alleged that other co-accused persons namely Alok Pandey, Chandrabhan Pandey and Kamlesh Pandey also assaulted Rajeshwar Kunwar.

It is submitted by the learned counsel for the petitioners that injuries of informant is found to be grievous, whereas the injury of Rajeshwar Kunwar has been found to be simple in nature. The accusation of assault is omnibus and general. The petitioners did not assault Rajeshwar Kunwar, when the specific accusation of assault is against petitioner no. 1, but the injury caused by him has been found to be simple in nature. The case lodged by the petitioners' side is at earlier point of time. The petitioners' side have also received injury. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on 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 Chief Judicial Magistrate, Saran in connection with Janta Bazar P.S. Case No. 11 of 2015, subject to conditions as laid down under Section

438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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