

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11453 of 2015

Arising Out of PS.Case No. -528 Year- 2014 Thana -BUXAR District- BUXAR

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1. Gautam Prasad son of Late Raj Kishor Prasad
 2. Kanhaiya Mishra son of late Mohan Mishra Both resident of Mohalla - Bazar Samittee Road, in front of Patleshwar Mandir, P.S. Buxar (T), Dist - Buxar, Both village of Karhanshi, P.S. Buxar (M), Buxar, Dist - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nil Kamal

For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,379 and 504/34 of the Indian Penal Code.

It is alleged that on protest being made for hurling abuse by the petitioners, the informant was assaulted and rupees five thousand from the pocket of the informant and wrist watch worth rupees two thousand five hundred were snatched.

It is submitted by the learned counsel for the petitioners that the petitioners are advocates and advocate's clerk and from the FIR it appears that the petitioners and the informant were

known to each other and subsequently they developed some difference. It is further submitted that for the occurrence of 18.11.2014 the FIR was registered on 19.11.2014 at 3.45 P.M. which reached the court of the learned C.J.M. on 22.11.2014, which suggests the registration of the FIR by antedating.

It is submitted by learned counsel for the informant that the informant was abused and assaulted since he refused to depose against the wife of petitioner with whom he is on litigating terms.

Considering the nature of accusation, delayed lodging of the FIR and its reaching the court after two days, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned CJM, Buxar in connection with Buxar (T) P.S. Case No. 528 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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