

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24637 of 2015**

Arising Out of PS.Case No. -577 Year- 2014 Thana -HAJIPUR SADAR District-  
VAISHALI(HAJIPUR)

- =====
1. Jitendra Kumar  
2. Dharmendra Kumar both sons of Devendra Rai residents of village  
Manua, P.S. Sadar, District Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s Mr. Ashok Kumar Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

02/ 13.07.2015 Heard learned counsel for the petitioners as well as  
learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with  
Hajipur Sadar P. S. case no. 577/2014 registered under sections  
147, 149, 341, 323, 504,506, 380 and 308 of the Indian Penal  
Code.

The accusation against the petitioners is that they  
assaulted the informant with iron rod causing injury on his  
head. Similarly, co-accused Sanjay Rai, too, gave lathi blow on  
the head of the informant. Furthermore, petitioners are said to  
have given iron blow to informant' mother causing injury on  
her head.

Learned counsel for the petitioners submits that the  
petitioners are agnates of the informant and, as a matter of fact,

no case under section 308 of the Indian Penal Code is made out and so far as allegation of theft is concerned, the same appears to be super addition. It is further contended by him that informant sustained only one injury which is evident from perusal of annexure 2 to this petition. Moreover, the aforesaid injury is simple in nature caused by hard and blunt substance.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Sadar P. S. case no. 577/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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