

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24646 of 2015

Arising Out of PS.Case No. -218 Year- 2014 Thana -BHORE District- GOPALGANJ

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1. Munna Singh
 2. Saroj Singh @ Saroj Kumar Both are son of Sudama Singh
 3. Rigni Devi @ Rigni widow of Sudama Bhagat
 4. Sangita Kumari @ Sangita Devi D/o Late Sudama Bhagat All are residents of Village - Rajghat, P.S. - Bhorey, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Irshad Ahmad Khan

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 13-07-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Bhorey Police Station Case No. 219 of 2014 registered for the offences punishable under Sections 341, 342, 323, 324, 307, 504 /34 of the Indian Penal Code.

Petitioners happen to be agnate of the informant and it appears that on petty matter, quarrel took place between the petitioners and the informant and after that allegedly, petitioners assaulted the informant and his other family members.

Annexure-3 series to the petition reveals that informant sustained injury on his left thumb root and the opinion regarding the nature of aforesaid injury was kept reserved. Similarly, injured

Maya Devi sustained injuries on her face and the opinion regarding the nature of injury was kept reserved. So far as 3rd injured namely, Amit Kumar is concerned, he sustained simple injury which is said to be caused by hard and blunt substance.

The contention on behalf of the petitioners is that almost all the sections are bailable in nature except 324 and 307 of the Indian Penal Code. It is further contended by him that the parties have already settled the dispute by happy note of compromise and now neither the informant nor any injured of this case is in mood to pursue this matter and moreover even if prosecution story assumed to be true, then also no case under section 307 of the Indian Penal Code is made out.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Bhorey Police Station Case No. 218 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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