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- Petitioner/s

1. The State of Bihar

Appearance :

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

Heard learned counsels for the petitioners

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 323, 341, 379, 504, 506, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that in the background of dispute with regard to damaging an electric pole by the driver of the informant's side, co-accused Arun Rai and Hira Lal Rai caused injuries with country made pistol to the informant and thereafter all accused persons including the petitioners and 10-12 unknown assaulted with fists and slaps to the informant when the informant got unconscious.

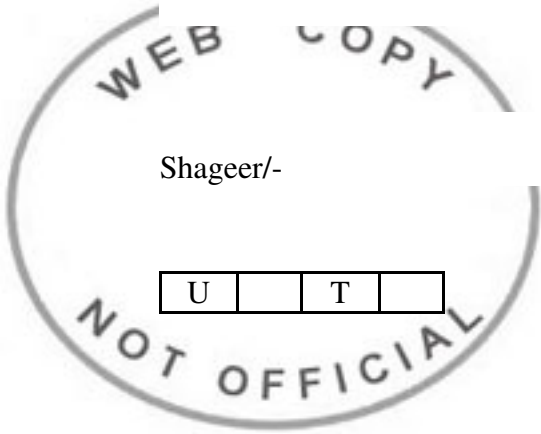
Subsequently the police took the informant to the hospital.

It is submitted by learned counsel for the petitioners that for the occurrence of 24.04.2015 the First Information Report was registered on 01.05.2015, whereas Kopa P.S. Case No. 31 of 2015 was registered by co-accused Hira Lal Yadav against the informant and others levelling accusation under Sections 147, 148, 149, 307, 323, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act. The injury report reflects only four injuries to the informant which prima facie does not reflect any fire arm injury. Though injury of the informant has been found to be grievous. The accused side have also received injuries.

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

Considering the fact that specific accusation of assault has been levelled against co-accused Arun Rai and Hira Lal Rai, delayed lodging of the case and there is omnibus and general accusation of assault against 23-25 people including the petitioners, let the petitioners, above named, 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, Saran at Chapra in connection with Kopa P.S. Case No. 34 of 2015,

subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.



(Dinesh Kumar Singh, J)