

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39347 of 2015

Arising Out of PS.Case No. -255 Year- 2015 Thana -BUXAR District- BUXAR

- =====
1. Rajni Kant Singh S/o Hare Ram Singh,
 2. Dharmendra Singh S/o Paras Nath Sing
 3. Bablu Kumar S/o Paras Nath Singh All R/o- Village- Gazadharganj,
P.S.- Buxar (Town), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. U.L.Verma (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-10-2015

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that co-accused Paras Singh ordered and resorted to fire but it did not cause any injury. Thereafter petitioner No. 3 Bablu Kumar assaulted with Farsa on the head of the informant while others assaulted with lathi, danda and iron rod. When younger brother of the informant came to rescue then he was also assaulted with lathi and iron rod. It is also alleged that accused persons took away Rs. 20,000/-, gold chain and other articles.

It is submitted by learned counsel for the petitioners that only specific accusation of assault is against

petitioner No. 3 Bablu Kumar though injury has been found to be simple when there is omnibus and general accusation against others.

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

Considering the accusation being specific against petitioner No. 3, Bablu Kumar, let learned Court below consider the prayer for regular bail of petitioner No. 3, Bablu Kumar, if he surrenders within a period of six weeks in connection with Buxar (T) P.S. Case No. 255 of 2015, pending in the Court of learned Chief Judicial Magistrate, Buxar.

Accordingly the application with regard to petitioner No. 3 Bablu Kumar is disposed of.

Considering the accusation being omnibus and general against other petitioners, let the petitioner Nos. 1 and 2, 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, Buxar in connection with Buxar(T) P.S. Case No. 255 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

U		T	
---	--	---	--

(Dinesh Kumar Singh, J)