

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53965 of 2015

Arising Out of PS.Case No. -213 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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1. Dr. Saket Bihari @ Saket Bihari son of Jamuna Thakur
 2. Mithun kumar son of Ramcharitar Sharma Both 1 and 2 are residents of village Tarauniya Darbeshpura, Police Station- Katrisarai, District Nalanda.
 3. Manish Kumar son of Dev Sharan Sharma Resident of Village- Sherpur, Police Station- Warsaliganj, District Nawada.
 4. Alok kumar Son of Ashok Thakur resident of Village- Arsarh, Police Station -Jamui, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Anita Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,307,379,447 and 504/34 of the Indian Penal Code.

The prosecution case is that the sister in law of the informant called her brother and parents alleging torture at the hands of in-laws family when petitioner no. 4 Alok Kumar, brother of the sister in law of the informant came along with four persons including the petitioners, started abusing the father in law, mother in law of the informant. In the meantime, brother in law

(Debar) of the informant namely Amit Kumar came then he was abused by the accused persons and on the order of petitioner no. 2 Mithun Kumar petitioner Alok Kumar caused knife injury on the abdomen of Amit, as a result he received injuries and thereafter the accused persons escaped along with the sister in law of the informant namely Puja Devi along with house hold articles.

It is submitted by the learned counsel for the petitioners that for the occurrence of 24.8.2015 the FIR was registered on 4.9.2015 though the petitioners side lodged Giriyak P.S. Case No. 198 of 2015 on 24.8.2015 itself. The petitioners side have also received injuries. Petitioner no. 1 is the own brother in law (sala) of Amit Kumar whereas petitioner nos. 1,2 and 3 are related to petitioner no. 4.

Considering the thrust of accusation against petitioner no. 4 Alok Kumar let the learned court below consider the prayer for regular bail of the petitioner no. 4 in case the petitioner no. 4 surrenders within six weeks from today in connection with Giriyak P.S. Case No. 213 of 2015 pending in the court of learned C.J.M. Nalanda at Biharsharif.

So far as petitioner nos. 1 to 3 are concerned, considering the fact that there is no specific accusation against them and delayed lodging of the case, let the above named

petitioner nos. 1 to 3 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, Nalanda at Bihar Sharif in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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