

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54608 of 2015

Arising Out of PS.Case No. -157 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Prabhunath Sharma S/o Late Sahdev Sharma
 2. Girish Sharma @ Grish Sharma S/o Late Raghunath Sharma Both residents of Sharma Tola, P.S. Govindganj, Dist East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mira Kumari

For the Opposite Party/s : Mr. Matloob Rab(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-12-2015

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 143, 323, 341, 324, 307, 379, 506, 427, 448 of the Indian Penal Code.

The prosecution case is that co-accused Digvijay Sharma assaulted with farsa on the heard of the informant, whereas co-accused Sakendra Sharma caused injury with knife on the right eye of the informant and other accused persons indiscriminately assaulted with lathi and danda.

It is submitted by learned counsel for the petitioners that for the occurrence of 28.05.2015 the First Information Report was registered on 06.6.2015, whereas the case lodged by the petitioners' side being Govindganj P.S. Case

No. 144 of 2015 was registered on 28.05.2015 itself and the present case was registered on 06.06.2015. One injury of the informant on the occipital region has been found to be grievous in nature when one of the petitioners also received injury on occipital region. The injury on the head of the informant has been found to be caused by hard and blunt substance, though accusation of assault is by farsa.

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

Considering the fact that case lodged by the petitioners' side is at earlier point of time and the injury not being corroborated with the medical opinion, 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, East Champaran, Motihari in connection with G.R. Case No. 2738 of 2015, arising out of Govindpur P.S. Case No. 157 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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