

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39888 of 2015

Arising Out of PS.Case No. -118 Year- 2014 Thana -BIHRA District- SAHARSA

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1. Nawal Kishore Gupta @ Nawal Prasad Gupta Son of Bindeshwari Prasad Gupta,
2. Jay Prakash Gupta, S/o Bindeshwari Prasad Gupta, Both residents of village - Bara, P.S. - Bihra, District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Md. Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 148, 149, 341, 307 and other allied Sections of the Indian Penal Code.

Allegation against the petitioner is that they assaulted cousin brother of the informant with iron rod and farsa and also took away Rs. 5,000/- from his pocket.

It has been submitted on behalf of the petitioners that they have falsely been implicated in the present case. There is case and counter case. Counter case is Annexure-2 to the present application, which was instituted prior to the lodging of the present case. Annexure-3 is the injury report. From perusal of the said injury report it appears that injuries are simple in nature. Hence, no case under Section 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioners

are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Bihra P.S. Case no. 118 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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