

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39123 of 2014

Arising Out of PS.Case No. -32 Year- 2014 Thana -GOVINDPUR District- NAWADA

1. Binod Singh S/o Chali Singh
2. Arun Singh S/o Saryu Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 04-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147/148/149/341/323/307/504 of the Indian Penal Code subsequently section 302 of the Indian Penal Code was also added.

It is alleged that petitioner and other accused person assaulted the informant at his leg and body in the meantime Bihari Kumar came, who was assaulted by co-accused Ashis Singh by iron rod and 'lathi' whereas co-accused Krishna Singh ordered to kill everyone.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is general and omnibus

and there is no injury report of the victim on record, a statement to that effect has been made at paragraph 10 of the petition which reads as follows:-

"10. That the informant has not sustained any injury and there is no injury of the informant on record till date."

Learned APP for the State after going through the case diary admits that there is no injury report of the informant on record.

Learned counsel for the petitioner further submits that the assailant of the victim namely Krishna Singh has been acquitted by judgment dated 28.10.2014 in Sessions Trial No. 207/14 and 40/14 passed by learned Additional Sessions Judge, Nawada, the certificated copy of the said judgment has been produced, let it be kept on record. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Govindpur P.S. Case No.32 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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