

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6206 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Harendra Bhagat @ Harendra Prasad Son of Ram Ekbal Bhagat
2. Manoj Prasad son of Bhola Prasad
3. Sunil Prasad Son of Bhola Prasad
4. Arun Prasad Son of Bhola Prasad
5. Subodh Prasad Son of Bhola Prasad All Resident of Village Bhangaliya,
ward no. 15, Police Station Pakaridayal, District East Champaran.,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. J.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-02-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,323,324,307,379,434 and 504 of the Indian Penal Code.

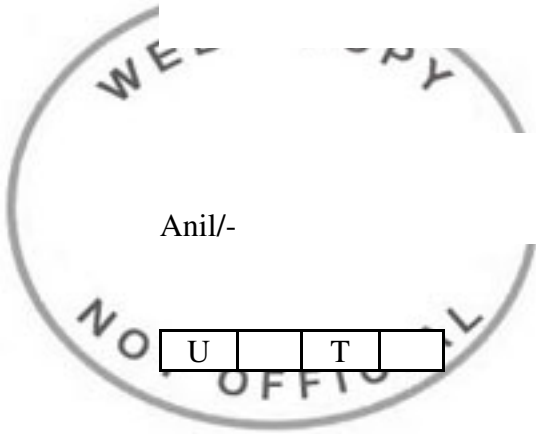
The prosecution case is that when the informant's son Raushan Kumar went to ease, co accused Bhola Prasad assaulted him with spade. On hearing the noise of the informant's son, informant's wife Munia Devi went to make protest when they were also assaulted by Bhola. On alarm being raised, the informant's father and brothers came to rescue then accused

persons assaulted them also.. Thereafter, co accused Arun Prasad, Bachcha Prasad and petitioner no. 1 caused hurt to the informant's father Mahendra Prasad and his brothers Ajay Bhagat and Bijay Bhagat. Mahendra Bhagat received three injuries out of which two have been found to be simple whereas with regard to one injury opinion has been kept reserved. The accused persons also committed theft of ornaments and cash.

It is submitted by the learned counsel for the petitioners that specific accusation of assault is not against the petitioners. There is counter version of the occurrence and in the background of land dispute the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. More over, co accused Bhola Prasad and others have been granted anticipatory bail vide Cr. Misc. No. 30093 of 2015 by a co-ordinate bench of this Court.

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 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 Sub Judge V-cum-Additional Chief Judicial Magistrate, V, Motihari in connection with Pakaridayal P.S. Case

No.19 of 2015 subject to the conditions as laid down under
Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)

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