

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5112 of 2016

Arising out of PS.Case No. -44 Year- 2015 Thana –BANDEYA, District- AURANGABAD

- =====
1. Rajiv Bind @ Rajiv Kumar, son of Krishna Bind.
 2. Krishna Bind, son of Late Kariman Bind
 3. Bhim Bind, son of Late Kariman Bind.

All are residents of Village- Jhikatia, P.S.- Bandea, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kuber Pathak

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 29-03-2016

Heard the parties.

The petitioners apprehend their arrest in connection with Bandeya P.S. Case No.44 of 2015 for the offences punishable under sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The allegation against these petitioners is of assaulting the informant and his father.

Although it is argued by Mr. Kuber Pathak, learned counsel appearing for the petitioners that the parties are related and the altercation is the outcome of the property dispute but considering the nature of injury suffered by the father of the informant which is attributable to petitioner nos.1 and 2, namely, Rajiv Bind @ Rajiv Kumar and Krishna Bind respectively I am

not persuaded to grant anticipatory bail to the petitioner nos.1 and 2 who should surrender and pray for regular bail which should be considered and disposed of by the court below on its own merit without being prejudiced by the order passed in this proceedings.

In so far as the petitioner no.3 is concerned, in consideration of the nature of allegation let the petitioner no.3, namely, Bhim Bind in the event of his arrest or surrender within four weeks from today be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Daudnagar, District-Aurangabad in connection with Bandeya P.S. Case No.44 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This application is allowed in part.

(Jyoti Saran, J)

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