

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7179 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -BAGAIINGOLA District- BUXAR

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1. Awadhesh Bhagat
 2. Ganesh Bhagat
 3. Ranjeet Bhagat
 4. Sashikant Bhagat
 5. Bablu Bhagat son of Birbal Bhagat. All resident of Village- Bagen, P.S.- Bagen Gola, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section of the Indian Penal Code.

The prosecution case is that while the informant was sitting at his door the accused persons, including the petitioners, came, abused the informant and on protest being made they assaulted him with Lathi Danda and when son and daughter-in-law of informant came to rescue they were also assaulted by the accused persons.

It is submitted by the learned counsel for the petitioners

that injuries on the informant, his son and daughter-in-law, except one injury in respect of which opinion was reserved, have been found to be simple in nature. It is further submitted that accusation of assault is omnibus and general and informant retracted from his earlier version and filed petition before the court below to that effect. The FIR was lodged on 25.12.2015 which reached to the court of learned Incharge CJM on 28. 12.2015, which suggests that FIR was registered by antedating.

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) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar in connection with Bagen Gola P.S. Case No. 79 of 2015 (G.R. No. 3627/2015) subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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