

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9325 of 2016

Arising Out of PS.Case No. -197 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Bigau Gond, son of Late Deonath Gond.
 2. Kumar Gond, son of Late Sita Gond, both resident of Village Mohamadpur, P.S. Chainpur, District- Kaimur at Bhabua.
 3. Suraj Gond, son of Late Aliyar Gond.
 4. Dinesh Gond, son of Suraj Gond, both resident of Village Rupapati, P.S. Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate.

For the Opposite Party/s : Mr. Ashok Kr.Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-04-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chainpur P.S. Case No. 197 of 2015 registered under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

The accusation is that on 06.10.2015 at about 1 P.M. the informant was sitting at his door, petitioner Bigau Gond came and stated to abuse him. When he came out from his house and made protest then petitioner Bigau Gond gave Farsa blow at his head. At that time, petitioner nos. 3 and 4 along with others

variously armed with lathi and danda assaulted the informant. When his son Rajesh Bind, brother Kamla Bind and mother, Urmila Devi, came to save him then accused persons also assaulted them. At that time, co-accused, Raj Kumari Devi, snatched the earring and Mangalsutra of the wife and daughter-in-law of the informant.

Learned counsel for the petitioners submits that, in fact, occurrence took place due to quarrel between the children of the family of the informant and the petitioners, in which, both party sustained injury, regarding which, Bhabua SC/ST P.S. Case No. 43 of 2015 was instituted against the informant and others under Sections 341, 323 and 307/34 of the Indian Penal Code and Section 3(I)(X)(XI) SC/ ST Act. Further submissions is that in Bhabua SC/ST P.S. Case No. 43 of 2015, Ram Bilash Bind, Rajesh Bind and Kamla Bind have already been allowed Anticipatory Bail by a Bench of this Court on 11.02.2016 vide Cr. Misc. No. 6461 of 2016. Moreover, injuries as found on the persons of the informant, his son and wife are of simple in nature.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 the Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 197 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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