

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9006 of 2016

Arising Out of PS.Case No. -376 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Dilip Patel @ Dilip Kumar Patel Son of Rajeshwar Patel
 2. Ram Pravesh Patel, son of Lalan Patel
 3. Rajeshwar Patel, son of Late Bhola Raut
 4. Lalan Patel, Son of Late Bhola Raut,
- All are residents of village- Bahadurpur Kurmi Tola, P.S.- Govindganj,
District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Ramesh Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 25-02-2016 Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 144, 447, 341, 323, 324, 307, 379 and 342 of the Indian
Penal Code.

The prosecution case is that the accused

persons entered into the house of the informant on 17.12.2015 at 7.30 P.M. armed with lathi, danda and Farsa. It is specifically alleged that co-accused Mukesh Patel assaulted with Farsa to the informant on his head as a result he fell down. Accused persons snatched gold chain from the wife of the informant.

It is submitted by learned counsel for the petitioners that the accusation of assault to the wife of the informant is specific against co-accused Mukesh Patel when superficial injury simple in nature has been found whereas the informant has received one grievous injury which is alleged against Mukesh Patel. The petitioners are agnates of the informant and in the background of land dispute the accusation has been levelled.

Considering the specific accusation of assault against Mukesh Patel (non-petitioner) coupled with the statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, 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 bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East

Champaran in connection with Govindganj (Areraj) P.S. Case
No. 376 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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