

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9137 of 2016

Arising Out of PS.Case No. -208 Year- 2014 Thana -KUMARGHAND District- MADHEPURA

- =====
1. Hari Narain Mehta S/o Nawab Mehta
 2. Upendra Mehta S/o Late Darogi Mehta Both are resident of Village-Tikulia, P.S. Kumarkhand, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 307,341,323,324,379 and 504/34 of the Indian Penal Code.

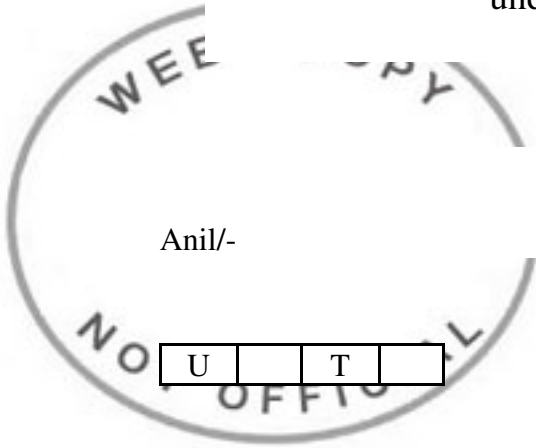
The prosecution case is that all the accused persons including the petitioners assaulted the informant's sons namely Rajesh Kumar Mehta, Subodh Kumar Mehta and informant's wife Buchni Devi with lathi, rod, sickle and sword. It is specifically alleged that co accused Ramchandra Mehta and Gurudeo Mehta assaulted the informant's son namely Rajesh Mehta by sword and pierced iron rod in both

his legs whereas co accused Gurudeo Mehta took out two thousand rupees from the pocket of Rajesh Mehta.

It is submitted by the learned counsel for the petitioners that accusation of assault against the petitioners is omnibus and general. The injury of the informant's wife and son Subodh have been found to be simple caused by hard and blunt substance whereas Rajesh received three injuries, out of which two are alleged to have been caused by hard and blunt substance whereas injury no. 3 is grievous but it has been found to have been caused by hard and blunt substance though the accusation of making assault against co accused Ramchandra and Gurudeo is by sword, a sharp cutting weapon. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

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 SDJM, Madhepura in connection with Kumarkhand P.S.

Case No.208 of 2014 subject to the conditions as laid down
under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)

Anil/-

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