

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9946 of 2016

Arising Out of PS.Case No. -242 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

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1. Prakash Tanti S/o Late Munilal Tanti
 2. Raju Tanti @ Raju Kumar S/o Prakash Tanti
 3. Mohan Kumar S/o Prakash Tanti
 4. Ram Kumar S/o Prakash Tanti. All are resident of village - Kajichak, P.S. Suryagarha, District - Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-04-2016 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

Petitioners apprehend their arrest in connection
with Suryagarha P.S. Case No. 242 of 2015 registered for
offence punishable under Sections 307, 379 and other allied
sections of the Indian Penal Code.

The prosecution case, in brief, is that on
19.11.2015 while brother of the informant went for urination,
accused persons assaulted his brother with lathi and iron rod
with an intention to kill him. On alarm raised by his brother,
when his family members went to rescue him, they were also
assaulted and a gold chain was also snatched from the neck of

his brother.

It has been submitted by the counsel for the petitioners that petitioners are innocent having no criminal antecedent and both the parties are on inimical terms. A counter case, bearing Suryagarha P.S. Case No. 243 of 2015 under the same sections has also been lodged by the petitioners against the informant on the same day. It has further been submitted that the allegations levelled against the petitioners are general and omnibus and they have been implicated due to dirty village politics and no case under Section 307 of the Indian Penal Code is made out against them.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report and all the petitioners inflicted blow on the informant and his family members, hence, opposes the prayer for bail.

Be that as it may, since the allegations levelled against the petitioners are general and omnibus, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two

sureties of like amount each to the satisfaction of learned
Chief Judicial Magistrate, Lakhisarai in connection with
Suryagarha P.S. Case No. 242 of 2015, subject to the
conditions as laid down under Section 438 (2) of the Cr. P.C.



(Nilu Agrawal, J.)

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