

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23130 of 2016

Arising Out of PS.Case No. -52 Year- 2012 Thana -NIMACHANDPUR District- BEGUSARAI

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1. Udgar Singh Son of late Bhola Singh
2. Saudagar Singh Son of Late Bhola Singh
3. Ratnesh Kumar@ Kari @ Kari Kumar Son of Udgar Singh
4. Saurav Kumar@ Ghantol Kumar son of Saudagar Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-05-2016 Heard learned counsels for the petitioners and the State.

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

Learned counsel for the petitioners is permitted to make necessary correction in the petition.

Prosecution case is that petitioner no.3, Ratnesh Kumar @ Kari abused and threatened the informant to shot dead when it

was protested then petitioner no.1, Udgar Singh, petitioner no.2, Saudagar Singh, petitioner no.3, Ratnesh Kumar, petitioner no.4 Saurabh Kumar @ Ghantol Kumar and co-accused Anil Kumar, all pulled the informant from the road and tried to strangle him with thick thread.

It is submitted by learned counsel for the petitioners that on conclusion of investigation the final form was submitted under sections 341, 323, 504/34 of the Indian Penal Code but differing with same, vide order dated 24.02.2016, the learned Magistrate took cognizance only under section 307 IPC. The said order was under challenge in Revision before the learned Sessions Judge, preferred by the petitioner, but the learned Sessions Judge dismissed the Revision. Hence, the present application has been filed. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that on conclusion of investigation the accusation was only found true in the bailable provisions, 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 12 weeks from today, on furnishing bail bond

of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai, in connection with Neema Chandpura P.S. Case No.52/2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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