

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52098 of 2015

Arising Out of PS. Case No. -224 Year- 2015 Thana -DIGHA District- PATNA

- =====
1. Surendra Viswakarma, son of Sheo Balak Viswakarma, Residing at Panchbati Colony, P.S. Digha, District- Patna.
 2. Sheo Nath Rai, son of Late Ramjee Rai, Residing at Panchbati Colony, P.S. Digha, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 04-02-2016

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under Sections 341, 323, 325, 308, 379, 504 and 506/34 of the Indian Penal Code.

The informant alleged that on trifle issue of carrying some earth from petitioners' place, the incident of assault took place. The petitioner no.1 is said to have assaulted the informant, who sustained injuries on his head, thumb and some other parts of the body. Besides the informant, one Rajesh Kumar also sustained fracture injury in one of the hands.

Learned counsel submits that there is a case and counter case. He submits that petitioner no.1 also sustained

injuries. He further submits that petitioner no. 2, in fact, is brother of the informant.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today the petitioner no.2, namely, Sheo Nath Rai, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Digha P.S. Case no. 224 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

So far as petitioner no.1, namely, Surendra Viswakarma, is concerned, if he surrenders before the court below and prays for regular bail, the same would be disposed of on the same day also taking into consideration that there is a case and counter case and the he too sustained injuries.

(Samarendra Pratap Singh, J.)

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