

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33521 of 2016

Arising Out of PS.Case No. -195 Year- 2016 Thana -BANKA District- BANKA

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1. Gangadhar Thakur son of Late Radha Kant Thakur
2. Shashi Kant Thakur son of Late Radha Kant Thakur
Both R/o village- Bhatkundi, P.s. & District- Banka.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha
For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Banka P.S. Case No. 195 of 2016 registered for the offences punishable under Sections 341, 323, 325, 379, 308, 504/34 of the Indian Penal Code.

The allegation against the petitioner no. 1 Gangadhar Thakur is that he assaulted with lathi to the informant on his head causing bleeding injury.

Submission is of false implication and that against the petitioner no. 2 Shashi Kant Thakur there is no specific allegation, against petitioner no. 1 also there is no allegation that he repeated the blow, the injury found on the person of the informant is simple caused by hard blunt substance vide annexure-2, there was no

intention and the occurrence took place at the spur of moment and as such the petitioners deserve sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering that against petitioner no. 2 there is no specific allegation and further the informant has received simple injury and as such both the petitioners above named, in case of their surrender or arrest within one months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, in connection with Banka P.S. Case No. 195 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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