

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39564 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -GWALPARA District- MADHEPURA

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1. Shailesh Kumar Singh.
 2. Rahul Kumar Singh @ Rahul Anand Singh.
 3. Kanhaiya Sing @ Krishna Kumar Singh.
 4. Dayanand Yadav @ Dayanand Kumar.
 5. Dev Narayan Yadav.
 6. Rajesh Kumar Bhagat.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shailendra Kumar Singh, Advocate.
For the Opposite Party : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-12-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Gwalpara P.S. Case No. 37 of 2016 for the offences instituted under Sections 147, 148, 149, 341, 323, 325, 307, 379, 427, 504 and 506 of the IPC.

The prosecution story, in brief, is that while the informant and others was returning by vehicle and reached a village he saw road was blocked with vehicles. When he told to park the said vehicles by side of road then the persons of the vehicles started abusing the informant. On protest, petitioners and co-accused Jai Kishun Yadav alongwith 15-20 unknown armed



with Lathi, gun and danda damaged the vehicle of the informant causing loss of Rs. 3-4 Lacs. Petitioner Nos. 1, 2 and 3 dragged him from the vehicle and attached upon him with intention to kill him. The son and brother-in-law of petitioner no. 1 assaulted the informant on his head and mouth with the butt of weapons causing serious injury in his right eye and left eye. The petitioners and others assaulted him on his whole body with Lathi, Danda and weapons causing injuries on his face, left hand and back and thereafter they also assaulted the driver of the informant's vehicle causing serious injuries to him.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The nature of injuries are said to be simple in nature which is evident from Annexure-6 series to the supplementary affidavit. The other co-accused has been granted anticipatory bail vide Annexure-7 to the supplementary affidavit.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period



of six weeks from today in connection with Gwalpara P.S. Case No. 37/2016 (G.R. No. 368/2016) on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Uda-Kishunganj, Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

