

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42107 of 2016

Arising Out of PS.Case No. -145 Year- 2016 Thana -UCHAKAGAON District- GOPALGANJ

- =====
1. Mahanth Singh son of Ram Pujan Singh
 2. Sharda Nand Singh son of Sri Bhagwan Singh
 3. Kamlesh Singh @ Kamlesh Kumar son of Awadh Bihari Singh All resident of Village- Brahmain, P.S.- Uchkagaon, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Uchkagaon P.S. Case No. 145 of 2016, disclosing offences under Sections 341,323,324,307,379,504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the main allegation is against co-accused Vijay Singh, who is said to have assaulted the informant with *sword*, whereas, there is allegation against petitioner Nos. 2 and 3 that they assaulted the informant with *danda* on instigation of petitioner no.1. Learned counsel for the petitioners has also submitted that on the basis of

counter version, another First Information Report being Uchkagaon P.S. Case No. 147 of 2016 has been registered, consequent upon on recording of fardbeyan of the said co-accused Vijay Singh.

Learned Additional Public Prosecutor has opposed the prayer for anticipatory bail.

However, considering the facts and circumstances of the case, this application is allowed. Let the petitioners above-named, in the event of their arrest/surrender within four weeks from today in the Court below be released on bail 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 Chief Judicial Magistrate, Goaplganj in Uchkagaon P. S. Case No. 145 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

ArunKumar/-c

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(Chakradhari Sharan Singh, J)