

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46760 of 2016

Arising Out of PS.Case No. -307 Year- 2016 Thana -AMARPUR District- BANKA

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1. Kailash Bind son of Khelwan Bind
2. Binod Bind son of Late Ram Khelawan Bind
3. Wakil Bind son of Sanik Lal Bind
4. Ram Khelawan Bind son of Late Shibu Bind
5. Karu Bind son of Late Dukho Bind All are resident of Village- Bharko,
P.S.- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-12-2016 Heard both sides.

The petitioners apprehend their arrest in Amarpur P.S. Case No. 307/2016, registered for the offences punishable under Sections 308 and other Sections of the Indian Penal Code.

The informant named the petitioners and alleged that Kailash Bind assaulted the informant with lathi on his head, then Ayodhya Bind and Mohan Bind father and cousin of the informant came to save the informant. Wakil Bind is alleged to have assaulted Ayodhya Bind and Mohan Bind.

Learned counsel for the petitioners submits that there is a counter version being Amarpur P.S. Case No. 308/2016. From



the side of the petitioners many persons were injured. Gyandev Bind, the informant and Ayodhya Bind, father of the informant got simple injuries, *but* it appears that Wakil Bind is the assailant of Mohan Bind and Mohan Bind got grievous injury on his head.

Considering the facts aforesaid, I am not inclined to enlarge Wakil Bind, Petitioner No. 3 above named on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Petitioner Nos. 1, 2, 4 and 5 is concerned, there is omnibus and general allegation of assault and the injuries found on the person of Gyandev Bind and Ayodhya Bind are simple in nature.

Considering the facts aforesaid, Petitioner Nos. 1, 2, 4 & 5 above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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, Banka in connection with Amarpur P.S. Case No. 307/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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