

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53117 of 2016

Arising Out of PS.Case No. -58 Year- 2016 Thana -BANGAON District- SAHARSA

=====

1. Amit Kumar, Son of Ramotar Yadav.
2. Binit Kumar, Son of Ramotar Yadav.
3. Ramotar Yadav, Son of Late Dheruhu Yadav, All residents of village-
Bariyahi Basti, P.S.- Bangaon, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354(B), 384, 307, 380, 504 and 506/34 of the Indian Penal Code.

Petitioners Nos. 1 and 2 Amit Kumar and Binit Kumar have caused injury at the head of Ajeet Kumar and Puja Kumari. The Doctor has found swelling on the scalp of Puja Kumari and a lacerated wound on the scalp of Ajeet Kumar, simple in nature.

Submission is that there is no allegation of repetition of blow, hence, offence under Section 307 of the Indian Penal



Code is not attracted, prima facie.

The petitioners, aforesaid, had knowledge that there act might cause death, hence, I am not inclined to grant them anticipatory bail. Accordingly, prayer for anticipatory bail of the petitioner nos. 1 and 2 is rejected.

There is general and omnibus allegation of assault against petitioner no. 3 Ramotar Yadav, let the petitioner no. 3, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Saharsa/Successor Court in connection with Bangaon Police Station Case No. 58 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

Kundan/-

U		T	
---	--	---	--

