

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5260 of 2016

Arising Out of PS.Case No. -174 Year- 2015 Thana -HASANPUR District- SAMASTIPUR

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1. Dorik Pandit, son of Shibu Pandit
 2. Shibu Pandit, son of Tetar Pandit
 3. Sanjay Pandit
 4. Shankar Pandit Both sons of Shibu Pandit
 5. Pragash Pandit son of Late Ram Atar Pandit All are resident of Village- Shankarpur, P.S.- Hasanpur, District- Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-02-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners submits that
petitioner no.1, Dorik Pandit has since been arrested as such this
application has become infructuous as against him.

Petitioners apprehend their arrest in connection with
Hasanpur P.S. Case No.174 of 2015 registered for offences
punishable under Sections 448, 341, 323, 325, 307, 379, 504 and
506/34 of the Indian Penal Code.

Prosecution case as alleged by the informant is that
on 13.09.2015 at about 5 P.M. in the evening while the informant

was sitting at his door, his brother, namely, Sashikant Kumar threw water in front of the door of Dorik Pandit, as such Dorik Pandit started hurling abuses on the informant's brother, which was protested by the informant.

It is further alleged that Dorik Pandit and Punit Pandit in course of hurling abuses came to his door with iron rod and the informant's father, namely, Rajendra Sah, who was sitting at the Darwaja, was assaulted by them by means of iron rod causing head injury, as such he sustained serious injury. The informant further alleged that while he was rescuing his father, six more named accused persons, who happened to be kith and kin of the aforesaid two accused persons came there, who were armed with danda. The lady members were also assaulted and gold chain was snatched.

It has been submitted by the learned counsel for the petitioners that they are innocent having no criminal history and all the injuries alleged to have caused by these petitioners are simple in nature. There is a counter version bearing Hasanpur P.S. Case No.173 of 2015, indicating that there was altercation between both sides.

However, learned A.P.P. for the State submits that the petitioners are named in the F.I.R. and opposes the prayer for

bail.

Be that as it may, let the petitioners 2 to 5, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Rosera, Samastipur in connection with Hasanpur P.S. Case No.174 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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