

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48512 of 2016

Arising Out of PS.Case No. -260 Year- 2015 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Shivpujan Prasad
2. Jai Chandra Prasad Both sons of Late Yadolal Prasad.
3. Anand Mohan @ Anand Mohan Prasad @ Anand Mohan Kumar, Son of Shivpujan Prasad
4. Suraj Kumar @ Suraj Prasad
5. Suman Prasad @ Suman Kumar Both sons of Jai Chandra Prasad, All residents of Village- Kamarcholi, P.S.- Chiraiya, District- East Champaran
.... Petitioners

Versus

1. The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party : Mr. Nityanand Tiwary, APP 41

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-12-2016 Heard the learned counsel for the petitioners and the State.

This is a petition for grant of anticipatory bail for offence under Sections 147, 148, 323, 324, 307 and 504 of the Indian Penal Code and 27 of the Arms Act.

Petitioners, Shivpujan Prasad and Jai Chandra Prasad, have caused injury at the head of the referred person. There general and omni bus allegation of commission injury against the other petitioners.

Since, petitioners, Shivpujan Prasad and Jai Chandra Prasad, had knowledge that their act might cause death, I am not inclined to enlarge them on anticipatory bail. The prayer for anticipatory bail on their behalf is rejected.

There is assault and general and omni bus allegation against other petitioners, namely, Anand Mohan @ Anand Mohan Prasad @ Anand Mohan Kumar petitioner no. 3, Suraj Kumar @



Suraj Prasad petitioner no. 4 and Suman Prasad @ Suman Kumar petitioner no. 5, and there is case and counter case, they, petitioners 3, 4 and 5, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Chiraiya P.S. Case No. 260 of 2015 to the satisfaction of the Subdivisional Judicial Magistrate, Sikrahana at Dhaka, Motihari, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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