

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44093 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -BANKA District- BANKA

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1. Manish Kumar Simngh @ Manish Kumar Singh, Son of Subhash Praasd Singh.
 2. Munna Yadav, Son of Sri Rajendra Yadav.
 3. Awadhesh Yadav, Son of Sri Rajendra Yadav.
 4. Rajendra Yadav S/o Sri Roshan Yadav, All resident of- Haripur, P.S.- Banka, District-Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate
For the State	:	Mr. Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-10-2016

Heard learned counsel for the parties.

The petitioners apprehend arrest in connection with
Banka P.S. Case No. 49 of 2016 dated 28.01.2016 instituted under
Sections 341/323/308/504/34 of the Indian Penal Code.

The allegation against the petitioners is of general
assault whereas against petitioner no. 3, it is specific of causing
injury by the side stick of a cot.

Learned counsel for the petitioners submits that from



the *fardbeyan* itself, it is evident that the issue was very trivial i.e., with regard to washing of hands and legs at the hand-pump and even the allegation of specific blow on the head against petitioner no. 2, is farfetched since the injury report discloses lacerated wound caused by hard blunt substance. Learned counsel submits that the petitioners no. 1, 2 and 3 have clean antecedent whereas against petitioner no. 4, there is a complaint case in which he is on bail.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds 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 Banka P.S. Case No. 49 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

Further, the petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of

the bonds or the undertaking shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J.)

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