

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44157 of 2016**

Arising Out of PS.Case No. -189 Year- 2016 Thana -AJAMNAGAR District- KATIHAR

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1. Jittu Mahaldar @ Jittu Mandal Son of Doma Mahaldar  
2. Horen Mahaldar @ Horan Mahaldar Son of Doma Mahaldar Both residents of Village- Azam Nagar, Mahaldar Tola, Police Station- Azam Nagar, District- Katihar.

.... .... Petitioners

Versus

1. The State of Bihar.  
2. Haridas Mahaldar son of Tukshoo Mahaldar residents of Village- Azam Nagar, Mahaldar Tola, Police Station- Azam Nagar, District- Katihar.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Pravin Chandra Prasad, Advocate  
For the Opposite Party/s : Mr. Sri Ramesh Chandra

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      01-12-2016                      Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Azam Nagar P.S. Case No.189 of 2016 for the offences registered under section 341, 323, 448, 307, 427, 506, 504 and 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant and his other family members by means of lathi but submission on behalf of the petitioners is that the injured of this case have sustained simply injuries which is evident from perusal of Annexure-2 series and, therefore, Section 307 of the I.P.C. is not



applicable and the rest Sections are bailable in nature. It is further submitted that since police registered the case under Section 307 of the I.P.C. that is why the petitioners apprehend their arrest and have come before this Court for grant of anticipatory bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let petitioners above named, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in Azam Nagar P.S. Case no. 189 of 2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

N.H./-

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