

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1539 of 2016

Arising Out of PS.Case No. -39 Year- 2015 Thana -KAHALGAON. District- BHAGALPUR

- =====
1. Madan Kumar
 2. Ranveer Kumar
 3. Sajan Kumar @ Sagan Kumar All S/o Sankar Mandal
 4. Rakesh Kumar
 5. Rajesh Kumar Both S/O Narayan Mandal All resident of village-
Pankhoriya, P.S.- Rasalpur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Tapeswar Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 452, 323, 354, 380, 506, 34 of the Indian Penal Code.

The prosecution case is that on 25.01.2015 at 8:00 P.M when the informant returned home, he found his minor sister sitting on bed who conveyed that thief is inside the bed when petitioner No. 2 was apprehended, but thereafter petitioner Nos. 1 and 3 to 5 got petitioner No. 2 released and made assault to the informant.

It is submitted by learned counsel for the petitioners that petitioners are neighbours of the informant and accusation has been levelled with malicious accusation.

A statement has been made in para 3 of the

petition that petitioners have no criminal antecedent.

Considering the thrust of accusation against petitioner No. 2, Ranveer Kumar, let learned Court below consider the prayer for regular bail of the petitioner No. 2, if he surrenders within a period of six weeks in connection with Rasalpur (Kahalgaon) P.S. Case No. 39 of 2015, pending in the Court of learned Additional Chief Judicial Magistrate, Bhagalpur.

With the observations above, the application with regard to petitioner No. 2 stands disposed of.

So far as petitioner Nos. 1 and 3 to 5 are concerned, considering the nature of accusation and petitioners having no criminal antecedent, let the petitioner Nos. 1 and 3 to 5, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhagalpur in connection with Rasalpur (Kahalgaon) P.S. Case No. 39 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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