

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1541 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -MADANPURA District- AURANGABAD

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1. Sheopujan Pal s/o Late Bhagu Pal
 2. Mahendra Pal S/o Late Bhuhusab Pal
 3. Parvesh Pal S/o Late Rajdeo Pal
 4. Upendra Pal S/o Bhudram Pal All R/o Vill Patanwa, P.S.- Madanpur, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Subhash Chandra Mishra (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 147, 148, 149, 504, 379, 341, 323, 324, 307 of the Indian Penal Code.

The prosecution case is that on 12.09.2015 at 9:00 A.M co-accused Naresh Pal started abusing the informant and made construction on the disputed land. Thereafter all the six F.I.R named accused persons entered into the house, made assault to the informant and snatched Rs. 80,000/- and titan watch. The accused persons also assaulted the father of the informant causing fracture injury. The accused persons also snatched Rs. 30,000/- of the brother of the informant. The specific accusation of assault with sword is against co-accused Naresh Pal.

It is submitted by learned counsel for the petitioners that accusation against the petitioners is omnibus and general. The specific accusation is against co-accused Naresh Pal when the petitioners' side filed Madanpur P.S. Case No. 127 of 2015 at earlier point of time. The said F.I.R was lodged by co-accused Naresh Pal since his son Durgesh Pal succumbed to the injuries.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that the case lodged by the accused side at earlier point of time when one person died from the accused side and the accusation being omnibus and general against the petitioners, let the petitioners, 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 Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 128 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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