

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8647 of 2016

Arising Out of PS.Case No. -11 Year- 2015 Thana -PANDARAK District- PATNA

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1. Ajay Singh Son of Late Rambaran Singh
 2. Chhotu @ Chhotu Kumar @ Gehuman @ Ghuman @ Dhananjay Kumar S/o Ajay Singh
 3. Vikash Kumar son of Ajay Singh All are residents of village- Bihari Bigha, P.s.- Pandarak, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 448, 379 and 307/34 of the Indian Penal Code.

The prosecution case is that the informant had taken one katha of land in the year 2013 from petitioner no.1, Ajay Singh by way of mortgage deed on making payment of ₹1.25 lakhs and after lapse of one year on 31.01.2015, the informant demanded his money back after giving possession back to petitioner no.1 then petitioner no.1, Ajay Singh started abusing the informant and on protest being made, petitioner no.1 Ajay

Singh with pistol, petitioner no.3, Vikash Kumar with iron rod and petitioner no.2, Chhotu with lathi entered into the house of the informant and assaulted him when petitioner no.3 assaulted the nephew of the informant Gautam Kumar with iron rod on his head. Petitioner no.3 Chhotu snatched gold chain worth ₹60,000/- from the wife of the informant.

It is submitted by learned counsel for the petitioners that for the petty dispute of civil nature, the accusation has been levelled. A statement has been made in para 9 of the petition that no injury was caused to the informant.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Barh, Patna in connection with Pandarak P.S. Case No. 11 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners will be confirmed by the learned court below on verification of the fact that the informant has not received any grievous injury but

if it is found that the informant has received any grievous injury then the petitioners will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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