

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10696 of 2016**

Arising Out of PS.Case No. -208 Year- 2014 Thana -KUMARGHAND District- MADHEPURA

- =====
1. Ram Chandra Mehta @ Ram Chander Mehta S/o Jagdish Mehta,
  2. Gurudeo Mehta, S/o Nawab Mehta, Both are resident of village - Tikulia, P.S. - Kumarkhand, District - Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. S.Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 14-03-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

The prosecution case is that all the accused persons including the petitioners assaulted the informant's sons namely Rajesh Kumar Mehta, Subodh Kumar Mehta and informant's wife Buchni Devi with lathi, rod, sickle and sword. It is specifically alleged these petitioners assaulted the informant's son namely Rajesh Mehta by sword and pierced iron rod in both his legs whereas petitioner No. 2 took out Rs. 2000/- from the pocket of Rajesh Mehta.

It is submitted by learned counsel for the petitioners that accusation of assault against the petitioners is omnibus and general. The injury of the informant's wife and son Subodh have been found to be simple caused by hard and

blunt substance whereas Rajesh is alleged to have been assaulted by these petitioners who received three injuries, out of which two are alleged to have been caused by hard and blunt substance whereas injury no. 3 is grievous but it has been found to have been caused by hard and blunt substance though the accusation of making assault against the petitioner is by sword, a sharp cutting weapon.

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

Considering the accusation not being corroborated with the medical opinion coupled with the statement in para 3 of the petition that petitioners have no criminal antecedent, 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 Sub-Divisional Judicial Magistrate, Madhepura in connection with Kumarkhand P.S. Case No. 208 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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