

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16172 of 2016

Arising Out of PS.Case No. -285 Year- 2015 Thana -FATUHA District- PATNA

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1. Yogendra Singh S/o Late Ram Aasre Singh
 2. Pramod Kumar @ Pramod Singh S/o Sri Surendra Singh
 3. Satendra Singh @ Satyendra Yadav S/o Sri Yogendra Singh
 4. Anuj Kumar @ Anuj Singh S/o Sri Birendra Singh All resident of Village Nasirpur Balba, P.S.- Fatuha, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Agrawal

For the Opposite Party/s : Mr. Dr. Indihar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 18-07-2016

Heard both sides.

The petitioners apprehend their arrest in Fatuha P.S. case No. 285 of 2015 under Section 307 and some other sections of the Indian Penal Code.

The informant alleged that projection of house of Surendra Singh was being constructed on road and when the informant objected all the accused persons assaulted him. Rajeev Kumar alleged to have assaulted the informant with iron rod on his head. Pramod Kumar assaulted the informant with bricks and Anuj Kumar assaulted him with stick.

It is submitted that there is case and counter case and

both sides have compromised the case. The informant got one injury on his head which is opined to be grievous in nature as fracture was found.

Considering the fact that there is no specific allegation of assault against the petitioners and no corresponding injuries were found on the person of informant whereas Rajeev Kumar, who is not the petitioner, is alleged to have assaulted the informant with iron rod on his head and injury on head is found to be grievous in nature, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City in Fatuha P.S. Case No. 285 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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