

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19149 of 2016

Arising Out of PS.Case No. -447 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Prince Kumar @ Preetam Kumar @ Preetam Kumar Prince S/o Late
Daya Nand Bishwas
2. Goutam Kumar S/o Late Daya Nand Bishwas
3. Shobha Devi @ Subhadra Devi W/o Late Daya Nand Bishwas All
residents of Professor Colony Ward No. 25, P.S. Forbesganj, District
Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Ajay Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 12-05-2016 Heard learned counsel appearing on behalf of the
petitioners and learned Addl. Public Prosecutor, appearing on behalf of
the State.

This application for grant of anticipatory bail arises out of
Forbesganj P.S. Case No. 447 of 2015, disclosing offences under
Sections 147, 148, 341, 447, 323, 307, 379, 504 of the Indian Penal
Code.

The occurrence appears to have taken place when the
informant was constructing wall around her house. It is alleged that the
petitioners and 15 unknown persons came, armed with deadly weapons
and abused her. It is alleged that the petitioner no.1 gave her a dagger
blow causing injury above her left eye.

Learned counsel appearing on behalf of the petitioners has submitted that the injury has been found to be simple in nature. No intention of killing the informant is culled out from the allegation made in the First Information Report and accordingly, no offence under Section 307 of the Indian Penal Code is made out.

Considering the genesis of occurrence and submissions advanced on behalf of the petitioners, this application is allowed.

Let the petitioners, above-named, in the event of their arrest/surrender before the court below within six weeks from today, be released 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 C.J.M., Araria, Forbesganj P.S. Case No. 447 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutives occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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