

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18448 of 2016

Arising Out of PS.Case No. -68 Year- 2009 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Prem Nath Raman
2. Som Nath Suman @ Raman, Both son of Late Baidyanath Singh R/o
Village Bhadhar, P.S.- Kusheshwar Asthan, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh

For the Opposite Party/s : Mr. R.P.S.Singh(App)

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

ORAL ORDER

- 2 29-04-2016 Heard learned counsels for the petitioners and the State.
- The petitioners are apprehending arrest in a case registered for the offences punishable under Section 341, 323, 307, 504/34 of the Indian Penal Code.
- The prosecution case is that the accused persons were ploughing the land which is under litigation. On protest being made by the nephew of the informant, Pramod Singh, co-accused Pawan Singh and Raman Singh assaulted the nephew of informant with lathi and rod and in the meantime the other accused persons, including the petitioners, assaulted the informant with lathi on her head and other parts of body.
- It is submitted by the learned counsel for the

petitioners that injuries have been found to be simple in nature except one of nephew of informant which was caused by other accused persons. It is further submitted that in the background of pending Title Partition Suit No. 12 of 1999, the accusation has been levelled. Though, the case is of the year 2009 but after conclusion of investigation the petitioner was not sent up for trial but differing with the final form cognizance has been taken on 30.04.2012. There is counter version of the occurrence. Statement has been in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 68 of 2009 (GR No. 141 of 2009) subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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