

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35895 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -KHARAGPUR District- MUNGER

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1. Dhananjay Poddar son of Parshuram Poddar
2. Pradip Poddar son of Parshuram Poddar
3. Vijay Poddar son of Parshuram Poddar All resident of Village-
Muzaffarpur, P.S.- Kharagpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan

For the Opposite Party/s : Mrs. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-09-2016 At the outset, it is submitted by learned counsel for the

petitioners that petitioner no.2 Pradip Poddar has been arrested.

Hence, this application so far as it relates to petitioner no. 2 has

become infructuous.

Heard learned counsels for the petitioners and the State.

The petitioner nos. 1 and 3 are apprehending arrest in a

case registered for the offences punishable under Sections

341,323,307,504 and 379/34 of the Indian Penal Code.

The prosecution case is that on 6.3.2016 at 3.45 P.M.

the informant was sitting at his shop and the road was being

constructed when one of the accused persons asked the contractor

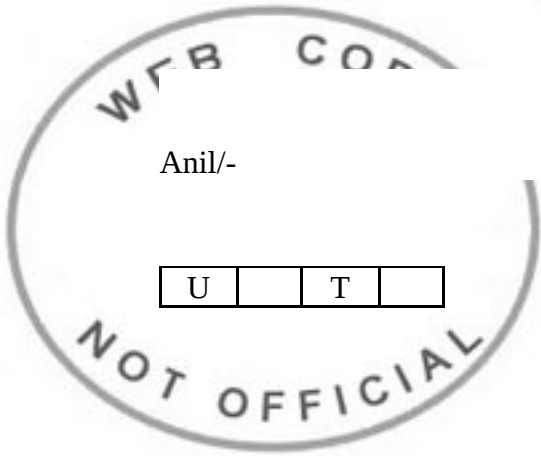
not to construct road in front of the door of the informant. The

informant made protest then the accused persons including the petitioners started abusing the informant and assaulted him on head with the butt of pistol causing bleeding injury. Thereafter, petitioner nos. 1 and 3 assaulted the informant with iron rod when the uncle of the informant came to rescue then co accused Manish Poddar and Sanjay Poddar assaulted him. It is further alleged that co accused Manish and Basanti snatched gold chain and ring of the informant.

It is submitted by the learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of land dispute the accusation has been levelled. It is further submitted that the injury of the informant and his uncle have been found to be simple. There is counter version of the occurrence also. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner nos. 1 and 3 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) each with two sureties of the like amount each to the satisfaction of learned SDJM, Munger in connection with Kharagpur P.S. Case No.50 of 2016 subject to the conditions

as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)