

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44943 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -MAJHAULIA District- WEST CHAMPARAN
(BETTIAH)

- =====
1. Dhruv Bhagat Son of Surya Bhagat.
 2. Sunil Bhagat Son of Dhruv Bhagat.
 3. Chunu Kumar Son of Dhruv Bhagat.

All are resident of Village- Bahuarwa, Police Station- Majhauiliya, District-
West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Advocate
For the State : Mr. Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the parties.

The petitioners apprehend arrest in connection with
Majhauiliya P.S. Case No. 132 of 2016 dated 28.05.2016 instituted
under Sections 341/323/324/307/504/34 of the Indian Penal Code.

The allegation against the petitioner no. 2 is of
assault by *Garasha* and against petitioner no. 3 is by *Dabiya* to the
informant and his nephew respectively at the behest of the petitioner
no. 1.

Learned counsel for the petitioners submits that the
petitioner no. 1 is the full brother of the informant and petitioners no.
2 and 3 are his sons and the dispute was on account of the passage

between their two houses which resulted in a minor scuffle and there is a counter case also. It is submitted that the injury report discloses only lacerated wound caused by hard blunt substance and, thus, the allegation of assault with *Garasha* and *Dabiya* is falsified. Learned counsel submits that the petitioners have no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in Majhauriya P.S. Case No. 132 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

P. Kumar

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