

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52133 of 2015

Arising Out of PS.Case No. -77 Year- 2015 Thana -NAYAGAON District- SARAN

- =====
1. Daroga Rai S/o Late Dharam Nath Rai resident of village- Shekh Dumari Abdulahi, P.S.- Nayagaon, Distt- Saran at Chapra
2. Babloo Kumar S/o Daroga Rai, resident of village- Shekh Dumari Badulahi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under sections 149, 324, 325, 307 and 504 of the Indian Penal Code.

It is alleged that petitioner No.1 assaulted the informant by sword causing injury on the nose of the husband of the informant whereas as both petitioner No.1 and 2 assaulted the informant Sunita Devi on her head.

Counsel for the petitioners submits that there is a case and counter case in which a petition was filed by the wife of petitioner No.1. In the aforesaid case petitioner No.2 Bablloo Kumar too sustained injuries.

Having regard to the facts and circumstances of the case,

the petitioner No.2 Bablloo Kumar is directed to be released on anticipatory bail, in the event of his arrest/surrender, on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in Nayagaon P.S. Case No.77 of 2015.

So far as petitioner No.1 Daroga Rai is concerned, his prayer for anticipatory bail is rejected. If he surrender and pray for regular bail, the same would be disposed of on its own merit without prejudice and also taking into consideration that there is a case and counter case between the parties.

(Samarendra Pratap Singh, J)

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