

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51891 of 2016

Arising Out of PS.Case No. -149 Year- 2016 Thana -NAWADA MUFFASIL District- NAWADA

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1. Lalu Kumar, son of Dinesh Mahto @ Dinesh Prasad.
2. Sajan Kumar @ Lalan Kumar, son of Dinesh Mahto @ Dinesh Prasad.
Both residents of Village - Sikandra, Police Station - Muffasil, District -
Nawada.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vibhuti Ranjan Sonvadra, Advocate.

For the Opposite Party : Mr. Pradeep Narain Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Muffasil (Nawada) P.S. Case No. 149 of 2016 for the offences instituted under Sections 147, 148, 149, 341, 323, 307, 504 and 379 of the IPC.

The prosecution story, in brief, is that while the informant was going to call of nature, petitioner no. 1 caught her hand and when she raised halla, all FIR named accused persons variously armed with Khanti, Lathi and Danda encircled her and co-accused Tuntun Prasad assaulted with Khanti on her head as a result of which she sustained injury. When her brother came to rescue her, petitioners assaulted him causing injury on his stomach and co-accused Radha Devi and Savita Kumari assaulted her and his brother with Lathi. On hulla, neighbours came and rescued



them.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is a case and counter case between the parties. The petitioners are alleged to have assaulted one Babloo Kumar. The nature of injury of said Babloo Kumar is said to be simple. Hence, no offence under Section 307 IPC is made out against the petitioners.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Muffasil (Nawada) P.S. Case No. 149/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

