

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.77 of 2016**

Arising Out of PS.Case No. -468 Year- 2015 Thana -MAJHAULIA District-  
WESTCHAMPARAN(BETTIAH)

- =====
1. Binda Devi Wife of Madan Sharma
  2. Munna Kumar Son of Madan Sharma
  3. Sonu kumar son of Madan Sharma

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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

2      05-01-2016                      Heard learned counsels for the petitioners and the  
  
State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

The prosecution case is that on 20.09.2015, the accused persons including the petitioners started abusing the informant when protest was made petitioner no.3 assaulted the informant with 'farsa' on his head causing blood injury, as a result the informant fell down and subsequently other petitioners assaulted him with leg, fists and iron rod. It is alleged that petitioner no.2 Munna Kumar took away Rs.10,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners

that the injury report of the informant does not suggest any injury caused by sharp cutting weapon whereas accusation levelled in the FIR was that petitioner no.3 assaulted with 'farsa' on the head of the informant. The injuries are simple in nature caused by hard and blunt substance of marginal size. There is counter version of the occurrence also. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. For the occurrence of 20.09.2015, the FIR was registered on 21.09.2015.

Considering the accusation being not corroborated with the medical opinion, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran at Bettiah in connection with Majhulia P.S. Case No.468/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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