

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46123 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -KURSELA District- KATIHAR

- =====
1. Birendra Singh, S/o Late Yadu Nandan Singh
 2. Tuna Singh, S/o Birendra Singh
 3. Sujit Kumar Singh @ Sujit Singh, S/o Birendra Singh
- All the petitioners are resident of village- Nawabganj, Vasa Tola, Police Station- Kursela, District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2016 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 379, 307, 504/34 of the Indian Penal Code.

The prosecution case is that the informant went to the place of occurrence on hearing scream sound of his son Chandan and found that accused persons were assaulting him. It is specifically alleged that petitioner no. 3 Sujit Kumar Singh @ Sujit Singh assaulted the son of the informant with farsha on his head. The accused persons assaulted the informant and his wife. Another son of informant namely Kundan Singh was also assaulted by the accused persons when he came to rescue. The accused snatched Rs.5,000/-

from his pocket.

It is submitted by the learned counsel for the petitioners that all the injuries have been found simple in nature. There is counter version of the occurrence and petitioners have also received injuries. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Though, the injury reports of Chandan, informant Rampravesh Singh and his wife Phulwanti Devi have been brought on record which suggest simple injuries, but the impugned order reflects that the injuries have been found to be grievous.

Considering the nature of accusation, let the learned court below consider the prayer for bail of the petitioners, if they surrender before the learned court below within a period of six weeks from today in connection with Kursela P.S. Case No. 71 of 2016, pending in the court of learned Chief Judicial Magistrate, Katihar.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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