

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44945 of 2016

Arising Out of PS.Case No. -149 Year- 2015 Thana -SULTANGANJ District- PATNA

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1. Gorakh @ Gorakh Kumar, Son of Sri Jagdish Sahni
2. Chhotu Kumar, Son of Sri Rajendra Sahni,
Both residents of Mohalla- Ghaghaghat, P.S.- Sultanganj, District- Patna.
.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate.
Mr. Arvind Kumar Mouar, Advocate.
For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP.

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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
Sultanganj P.S. Case No. 149 of 2015 dated 13.09.2015 registered
under Sections 341/323/307/34 of the Indian Penal Code.

The allegation against the petitioners is of assault on the
informant.

Learned counsel for the petitioners submits that the parties
reside in the same area and due to objection raised by the petitioners,
to throwing of garbage here and there by the informant, this false case
has been instituted. It is submitted that no injury report was produced
which would be apparent from the order dated 16.07.2016 of the
learned Additional Session Judge-IX, Patna in ABP No. 7604 of 2015,
passed after perusal of the case diary, in which there is no mention

with regard to injuries on the body either of the informant or his friend, as alleged in the fardbeyan. It is submitted that the petitioners have clean antecedent.

Considering the facts and circumstances of the case and submissions of learned counsels for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, named above, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sri A.K.Rai, J.M. 1st Class, Patna City in connection with Sultanganj P.S. Case No. 149 of 2015, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further that:

- (a) The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J)

Sujit/-

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