

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6926 of 2016

Arising Out of PS.Case No. -110 Year- 2014 Thana -KOCH District- GAYA

- =====
1. Vinay Kumar
 2. Santosh Kumar

.... Petitioner/s

Versus

The State of Bihar

.. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Akbar Ali (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-02-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 341, 323, 324, 326, 307, 504, 506/34 of the Indian Penal Code.

The prosecution case is that four accused persons, including the petitioners, came and started abusing the informant and on protest being made, co-accused Binod Chauhan assaulted the informant with Fasuli causing injury on his head and thereafter co-accused Manoj Chauhan assaulted the informant with Khanti causing fracture injury on his leg and when informant's mother, Sonkha Devi, came to rescue then petitioners assaulted her with Lathi.

It is submitted by the learned counsel for the petitioners that petitioners and informant are agnates and no injury report of Sonkha Devi, mother of informant, is available on record. Statement to that effect has been made in paragraph 9 of the

petition which reads thus:-

“9. That it is humbly submitted that there is no injury report of the mother of the informant namely, Sonkha Devi, is available on record.”

There is no accusation against the petitioners to have assaulted any other person. Statement has been in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for two months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Piyush Kumar Srivastava, learned JM, 1st class, Gaya in connection with Konch P.S. Case No. 110/2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that mother of informant, Sonkha Devi, has not received any grievous injury, but if it is found that Sonkha Devi received grievous injury, then the petitioners shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

BKS/-

U		T	
---	--	---	--