

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6461 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

- =====
1. Ram Bilash Bind son of Shiv Nath Bind
 2. Rajesh Bind son of Ram Bilash Bind
 3. Kamla Bind son of late Sahdeo Bind, all resident of Village Mohamadpur, P.S. Chainpur, District Kaimur at Bhabua.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323 and 307/34 of the Indian Penal Code and Section 3(1)(X)(XI) of SC/ST Act.

Prosecution case is that on 6.10.2015 at about 4.00 P.M., the petitioners came to the door of the informant and assaulted the informant and his niece of the informant. The genesis of the occurrence is scuffle between the children of both sides.

It is submitted by learned counsel for the petitioners that for the occurrence of 6.10.2015 at about 4.00 P.M., F.I.R. was

registered at 8.00 A.M. The petitioner no.1 lodged Chainpur P.S. Case No.197 of 2015 with accusations under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code against the informant when the petitioner no.2 was brutally assaulted at the hands of the informant. It is submitted by learned counsel for the petitioners that there is no injury caused to the informant and injury report of the niece of the informant also suggests that no visible injury was found by the doctor.

Statement has been made in paragraph-3 of the petition, petitioners have got no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua SC/ST P.S. Case No.43 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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