

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10191 of 2016

Arising Out of PS.Case No. -304 Year- 2015 Thana -AMARPUR District- BANKA

- =====
1. Gango Mandal
 2. Bhola Mandal, Both Sons of Chunchun Mandal, Resident of Village - Bishambhar Chak, P.S. - Amarpur, District - Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwari(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-05-2016 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Amarpur P.S. Case No. 304 of 2015 registered for the offence punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

The prosecution case, in brief, is that on 06.10.2015 at 1:30 P.M., the informant was carrying the children of A.B. Ascent Public School on his mini bus when one motorcyclist suddenly came from opposite direction and due to rash and negligent driving, he collided with the bus, as a result of which he received injury. Thereafter, the accused persons including the petitioner assaulted the informant,

damaged the vehicle and presuming him to be dead, threw the informant in a drain. The accused persons snatched the informant's silver chain, cash of rupees one thousand five hundred and a wrist watch.

It has been submitted by the learned counsel for the petitioners that petitioners are innocent having committed no offence and have no criminal antecedent, as is evident from paragraph-3 of this petition. He further submits that the petitioners are brothers and owned a shop and hotel where the alleged accident took place. He further submits that another co-accused with similar allegations, has since been granted the privilege of anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 8859 of 2016 on 25.02.2016.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection

with Amarpur P.S. Case No. 304 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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