

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23516 of 2016

Arising Out of PS.Case No. -83 Year- 2015 Thana -MAHISI District- SAHARSA

- =====
1. Gaurav Kumar S/o Kapildeo Roy @ Gulsan Roy
 2. Dheeraj Kumar S/o Kapildeo Roy @ Gulsan Roy
 3. Sudhakar Kumar, S/o Ramjapo Roy

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 379, 504, 506 of the Indian Penal Code. Subsequently section 307 IPC was also added.

Prosecution case is that on 11.05.2015 at 5.00 PM, the informant went to the shop of Maharana Roy to purchase some household articles where the FIR named accused persons including the petitioners assaulted the informant with hockey stick and rod. When the informant tried to flee away and reached near the door of his house all the accused persons forcibly dragged him, assaulted with iron rod, hockey stick, caused head

injury and snatched a gold chain worth Rs.32,000/-.

It is submitted by learned counsel for the petitioners that the informant has received several injuries; one of the injuries on the scalp has been found caused by sharp cut weapon but there is no accusation of causing injury with sharp cut weapon and other injuries are abrasion, bruise of marginal size, which have been found simple in nature. The accusation is omnibus and general.

Considering the accusation being not corroborated with the medical opinion, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa, in connection with Mahishi P.S. Case No.83/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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