

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42197 of 2016

Arising Out of PS.Case No. -303 Year- 2015 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Munna Bhagat son of Ram Kishore Bhagat
 2. Dashrath Bhagat Son of Birodhi Bhagat
 3. Mohan Kumar Bhagat @ Mohan Bhagat Son of Ram Kishore Bhagat
 4. Pappu Bhagat Son of Ram Kishore Bhagat
 5. Birendra Singh Son of Late Girja Singh
 6. Phulbabu Kumar son of Birendra Singh All are residents of Village -
Chandrahiya, P.S. - Dhaka, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Manish Kumar 2

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of
Dhaka P. S. Case No. 303 of 2015, disclosing offences under
Sections 147,148,149,323,324,307,354,379,427,448,504 and 506
of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the
petitioners and the informant are on inimical terms and several
false cases have been lodged at the instance of the informant
against petitioner Nos. 1,3, 5 and 6. He has submitted that no
offence under Section 307 of the Indian Penal Code is made out

on the basis of what has been alleged in the First Information Report inasmuch as the injuries have been found to be simple and there is no allegation that the assault was intended to false and culpable.

Considering the above, this application is allowed. Let the petitioners above named, in the event of their arrest/surrender within four weeks from today in the Court below shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Dhaka, East Champaran, in connection with Dhaka P.S. Case No. 303 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

U			
---	--	--	--