

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 41253 of 2016

Arising out of P.S. Case No. - 555 Year - 2014 Thana - BHAGALPUR KOTWALI District - BHAGALPUR

1. Prasenjit Kumar @ Prasanjit Kumar, S/o Shyam Sundar Manjhi, Resident of Mohalla - Urdu Bazar, Rikabganj, P.S. - Tatarpur, District - Bhagalpur

2. Monu Kumar, S/o Dilip Kumar Poddar, Resident of Mohalla - Mohadinagar, P.S. Babarganj (Mojahidpur), District - Bhagalpur

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-10-2016

Heard both sides.

The petitioners apprehend their arrest in Kotwali P.S.

Case No. 555 of 2014 registered for the offences punishable under Sections 341, 342, 323 and 308/34 of the Indian Penal Code.

The informant alleged that the proprietor of Kolkata Jewellers called him on telephone and took him inside the shop. The proprietor and his staff of the shop began to assault the informant with fists and slaps and iron rod.

The learned counsel for the petitioners submits that there is a counter case. The informant Shyam Sunder Manjhi the proprietor of the Kolkata Jewellers lodged Kotwali P.S. Case No. 575 of 2014 under Section 379 and another Section of the Indian Penal Code against the informant Sunny Kumar. It is further

submitted that the proprietor Shyam Sunder Manjhi has already been enlarged on bail and there is no specific allegation against the petitioners.

The learned counsel for the State, however, opposed the prayer for anticipatory bail.

It appears that the petitioners are staff and son of the proprietor of Kolkata Jewellers, Shyam Sunder Manjhi, who has already been granted anticipatory bail vide order dated 13.07.2016 passed in Cr. Misc. No. 27501 of 2016 by a Co-ordinate Bench of this Court. The case of the petitioners stands on the same footing.

Considering the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali P.S. Case No. 555 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Kundan

(Prabhat Kumar Jha, J.)

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