

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20296 of 2016

Arising Out of PS.Case No. -313 Year- 2015 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

- =====
1. Ramjee Kumar, aged about 18 years, Son of Ravindra Mahto Resident of Village-Haveli P.S. Bihar Sharif, District Nalanda
 2. Satyendra Kumar, aged about 20 years, Son of Balchand Mahto Resident of Village- Haveli,P.S. Bihar Sharif,District Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Kumar

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 10-05-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 379, 307, 323, 325, 341/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that on 13.07.2015 at 3.00 to 4.00 P.M. the informant Ajay Kumar went to the house of co-accused Ravindra Mahto to collect due amount. Co-accused Ravindra Mahto came and fired at the informant but the informant did not receive any injury. In the meantime, co-

accused Ravindra Mahto, his son petitioner no. 1 Ramji Kumar and petitioner no. 2 Satyendra Kumar chased and caught the informant. Thereafter, co-accused Ravindra Mahto assaulted the informant on his head by means of butt of pistol, petitioner no. 2 assaulted by means of iron rod and petitioner no. 1 assaulted by means of pieces of bricks and stones. Co-accused Ravindra Mahto took away gold chain of the informant.

It is submitted by learned counsel for the petitioners that the informant alleged to have been assaulted by both the petitioners and co-accused Ravindra Mahto but the impugned order reflects only one injury over the parietal region. The occurrence took place in the background of dispute with regard to due amount.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation being not corroborated with 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 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 learned Chief Judicial

Magistrate, Biharsharif, Nalanda in connection with Biharsharif
P.S. Case No. 313 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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