

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6752 of 2016

Arising Out of PS.Case No. -110 Year- 2015 Thana -NARDIGANJ District- NAWADA

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1. Manoj Chauhan
 2. Baliram Kumar @ Balram Kumar Both sons of Indradeo Chauhan
 3. Prakas Chauhan @ Pragas Chauhan son of Dukhi Chauhan
 4. Upi Chauhan
 5. Ratan Chauhan Both sons of Prakas Chauhan All are residents of village - Sirpatia, P.S. Nardiganj, Dist - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 147, 148, 341, 323, 307, 354(A), 504 of the Indian Penal Code.

The prosecution case is that when the informant and his wife were sitting at their door, the petitioners, variously armed, came and assaulted the informant causing injury on his head and when his brother came in rescue he was also assaulted with Lathi, fists and slaps. It is further alleged that Manoj Chauhan took rifle from his house and tried to terrorize the informant side.

It is submitted by the learned counsel for the petitioners

that petitioners are agnates of the informant, in the backdrop of land dispute the accusation has been labelled and except the informant no one has sustained any injury and injury found on the informant is simple in nature. Statement in this regard has been made in paragraph 7 of the petition which reads thus:-

“7. That, it is stated and submitted that except informant non sustained injury and informant’s injury is simple in nature caused by hard and blunt substance. Hence, offence under section 307 IPC is not attracted in this case and other sections are bailable”.

Considering the aforesaid facts, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri K. L. Yadav, learned JM, 1st class, Nawada in connection with Nardiganj P.S. Case No. 110/ 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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