

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24393 of 2016

Arising Out of PS.Case No. -206 Year- 2015 Thana -KHIJARSARAI District- GAYA

- =====
1. Surya Prakash @ Gorakh Son of Premchand Diwakar @ Ganauri Singh, Resident of Village- Uchauli, P.S.- Khizersarai, District- Gaya.
 2. Rashu Kumar son of Late Arun Singh, Resident of Village- Sanda, P.s.- Tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

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

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 15-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Khizarsarai P.S. Case No. 206 of 2015, disclosing offences under Sections 323,325 and 307/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the allegation of assault by iron rod is general and omnibus. It has been alleged against co-accused Rashu Kumar that he assaulted the informant with the butt of a rifle. According to him, this is enough to show that no offence under Section 307 of the Indian Penal Code is made out. He has further submitted that the injury has been found to be simple in nature. The petitioner has no criminal antecedent

as stated in paragraph 3 of the application.

Considering the submissions as 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 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 Chief Judicial Magistrate, Gaya, in Khizarsarai P. S. Case No. 206 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/-

U			
---	--	--	--