

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18398 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -SALKHUA District- SAHARSA

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1. Akildeo Singh
2. Sikindeo Singh Both Sons of late Sibbu Singh
3. Nitish Kumar Son of Sikindeo Singh
4. Balbir Singh@Balbir Kumar son of Hare Ram Singh
5. Sanoj Singh
6. Birbal Kumar@Birbal Singh Both Sons of Akildeo Singh All Residents
of Village- Kamasthan Kabira, P.s Salkhua (O.P Chiraya), District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-04-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,342,323,324,379,307,504 and 506 of the Indian Penal Code.

The prosecution case is that on 27.2.2016 at 6.30 P.M. the informant's grand son Sujit Kumar along with his friend were going to flour mill and were talking, in the meantime, for the utterance of objectionable words by one Birbal Singh, complain was made to his father by the



informant. Subsequently the petitioner nos. 1 and 2 came, surrounded the informant and petitioner no. 1 assaulted the uncle of the informant namely Rupesh with axe. Petitioner no. 2 Sikindeo assaulted with khanti when alarm was raised then the informant went toward the place of occurrence. The accused persons surrounded the informant. Petitioner no. 2 assaulted on the head of the informant while other accused also assaulted the informant when Yogendra Singh came to rescue then he too was assaulted.

It is submitted by the learned counsel for the petitioners that the accusation of assault is omnibus and general. There is counter version of the occurrence. It is further submitted that the injuries have been found to be simple in nature. Statement has been made in paragraph 9 of the petition that no case under section 307 IPC is made and except section 379 IPC others alleged offences 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) each with two sureties of the like amount each to the satisfaction of learned

CJM, Saharsa in connection with Salkhua P.S. Case No. 41
of 2016 subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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