

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50640 of 2015

Arising out of PS.Case No. -196 Year- 2015 Thana -PALIGANJ District- PATNA

1. Bindeshwar Singh, Son of Late Gopal Singh.
2. Pawan Singh, Son of Bindeshwar Singh.
3. Om Prakash Singh, Son of Vijay Singh. All residents of Village Kalopur, P.S. Paliganj, District Patna.

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Anil Kumar Tiwary, Advocate.
For the Opposite Party : Mr. Sadanand Paswan (Spl.App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Paliganj P.S. Case No. 196 of 2015 for the offences instituted under Sections 341, 323, 379/34 of the IPC and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act.

The prosecution story, in brief, is that on 10.09.2015 while the informant was coming back to his house at 7 P.M. after selling the animal in the meanwhile Bindeshwar Singh attacked on him by lathi near Kalopur Bridge on account of which blood was oozing out from his head. It is further alleged that Pawan Singh also took out Rs.10,000/- from his pocket, and in the meanwhile,

Om Prakash Singh threatened the informant to kill him otherwise fled away. It is further alleged that after alarm by informant, his uncle namely, Lal Mohan Nut, came there and the accused persons also assaulted him and thereafter snatched Rs.1,000/- from his pocket.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. As per the prosecution story, when the informant was returning he was apprehended by the petitioners and Rs. 10,000/- from his pocket was taken out and he was assaulted. Subsequently, the parties have settled the issue which is evident from perusal of Annexure-2 to the present application where the informant has made a petition in the court below stating that now he does not want to pursue the matter as the matter has already been settled between the parties.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Paliganj P.S. Case No. 196/2015 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 S.D.J.M., Danapur, Patna, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

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(Sudhir Singh, J)