

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34077 of 2017

Arising Out of PS. Case No. -176 Year- 2016 Thana -BAJPATTI District- SITAMARHI

- =====
1. Kamlesh Kumar @ Kamlesh @ Kanchan Prasad @ Kanchan, S/o Shatrughan Prasad,
 2. Sujit Prasad @ Sujit Kumar @ Gunjan Prasad @ Gunjan, S/o Shatrughan Prasad,
Residents of Village- Bajpatti, Near Old Thana, P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 31-07-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Bajpatti P.S. Case No. 176 of 2016 registered for offences under sections 341, 323, 324, 307, 379, 34 of the Indian Penal Code.

As per First Information Report in the evening at 8 O'clock, the rice of Ranjan Prasad was coming on truck, the said truck caused damage to the wall of the Informant, when he raised objection, Ranjan Prasad, Kamlesh @ Kanchan Prasad, Sujit Prasad, Ramkumari Devi, Madhu Bharti and Guddi Devi came



with lethal weapons in their hand and started assaulting to the Informant. Kamlesh Kumar, petitioner no.1 has caused injury by Dabia and there is allegation against Sujit Kumar, petitioner no.2 of causing injury by the butt of the country made pistol.

Learned counsel for the petitioners submits that there is no any substantial injury caused to the Informant by the present petitioner no.1 and the injury caused by petitioner no.2 is only an abrasion caused by the butt of the country made pistol. He further submits that there is direct allegation against the co-accused Ranjan Prasad and the injury that has been shown to have caused is not on the body of the victim. He again submits that this is a family dispute and, on that account, all the family members have been made party.

Looking to the entire facts and circumstances of the case, let the petitioners, namely, Kamlesh Kumar @ Kamlesh @ Kanchan Prasad @ Kanchan and Sujit Prasad @ Sujit Kumar @ Gunjan Prasad @ Gunjan, in the event of their arrest or surrender before the court below within a period of four weeks from today, 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 Sub-Divisional Judicial Magistrate, Pupri, Sitamarhhi in connection with Bajpatti P.S. Case No. 176 of 2016,



subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Shivaji Pandey, J)

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