

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44627 of 2016

Arising Out of PS.Case No. -109 Year- 2016 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Pratima Devi wife of Balbir Kumar
2. Balbir Kumar
3. Randhir Kumar Both sons of Hare Ram Singh All Resident of Village-
Kobil Par Nadi, P.S.- Islampur, District- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 18-01-2017 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with

Islampur P.S. Case No. 109 of 2016 registered for the offences

punishable under Section 307 and other allied sections of the

Indian Penal Code.

Altogether six persons including the petitioners are

named in the first information report on the allegation that they

being armed with lethal weapons assaulted the informant and her

other family members. The alleged occurrence is said to have

taken place on account of partition dispute. The injury report of



informant goes to show that she sustained only one injury on her head, said to be caused by hard and sharp edged weapon but the doctor found the aforesaid injury simple in nature. No doubt, there is allegation of assault against all the petitioners but it is not specific who caused injury to informant because there is nothing in the entire case diary to show as to which accused was carrying khanti in his hand at the time of alleged occurrence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Pawan Kumar Shukla, Judicial Magistrate 1st Class, Hilsa in Islampur P.S. Case No. 109 of 2016 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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