

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37818 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Birmani Bind Son of Krishna Bind,
2. Tuntun Bind Son of Ram Pravesh Bind Both of Resident of Village-
Kalyanbigha, P.S.-Harnaut (Kalyan Bigha O.P.), District-Nalanda.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioners and the
learned APP appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Harnaut (Kalyanbigha) P.S. Case No.138 of 2017, registered
under Sections 341, 323, 325, 307 and 504/34 of the Indian Penal
Code.

Allegation in brief is that due to irrigation dispute the
accused persons assaulted the informant. The specific allegation of
assault is against Barmani Bind causing fracture in his left hand.

Learned counsel for the petitioners submits that both
sides have compromised the case.

Having considered the fact that specific allegation of
causing fracture injury in the hand of the informant is against



petitioner no.1, namely, Birmani Bind, his prayer of anticipatory bail in connection with Harnaut (Kalyanbigha) P.S. Case No.138 of 2017, pending in the court of the learned Chief Judicial Magistrate, Nalanda at Biharsharif is rejected. However, if he surrenders and seeks regular bail, the same shall be considered on merit without being prejudiced by this order.

So far as petitioner no.2, namely, Tuntun Bind is concerned, as there is no specific allegation against him, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Harnaut (Kalyanbigha) P.S. Case No.138 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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