

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34971 of 2017

Arising Out of PS.Case No. -174 Year- 2016 Thana -KISHUNPUR District- SUPAUL

- =====
1. Ram Sunder Kamat, Son of Bambhola Kamat,
 2. Chandan Kumar @ Chandan Kamat,
 3. Kundan Kumar Both Sons of Shiv Chandra Kamat,
 4. Rama Shankar Kamat, Son of Late Prem Kamat,
 5. Satish Kumar @ Satish Kamat, Son of Satyadeo Kamat, all R/o Village-Ratanpura, P.S.- Kishanpur, Distt.- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Khurshid Anwar

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 10-08-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Kishanpur P.S. Case No. 174 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the I.P.C.

In the First Information Report which has been lodged by Lakshman Kamat in Darbhanga Medical College and Hospital there is allegation against the petitioners and others that they abused and assaulted the brother, Bhabhi and the nephew of the informant and when the informant tried to intervene, the informant



was also assaulted by petitioner no.1 on his head resulting head was ruptured and Chandan Kumar assaulted with farsa cutting two fingers. The injured were brought at Supaul Health Centre and from there they were brought at P.M.C.H.

Submission is of false implication and that there is no specific allegation against the petitioners, for cutting coconut tree, the occurrence has taken place on 11.08.2016, whereas, fardbeyan was lodged on 18.08.2016, the informant has received injuries which are six in number, injury no.6 is on the parietal part of the head but there is no allegation as to which petitioner assaulted, injury no.6 is caused by sharp cutting weapon, others have also received injuries, copy of which are annexed, against petitioner nos. 3, 4 and 5 there is no specific allegation for assaulting any one and as such all the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners

In the facts and circumstances as stated above, considering the allegation against petitioner nos. 1 and 2, namely, Ram Sunder Kamat and Chandan Kumar @ Chandan Kamat, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected.



However, considering the allegation against petitioner nos. 3, 4 and 5, namely, Kundan Kumar, Rama Shankar Kamat and Satish Kumar @ Satish Kamat, they, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order 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. C.J.M. Supaul in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

