

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.852 of 2017

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1. Ashutosh Kumar,
2. Santosh Kumar,
Both sons of Upendra Prasad Singh.
3. Saurav Kumar, Son of Santosh Kumar
All resident of village- Desawar, P.S. Bath, District- Bhagalpur
.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 12-01-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Bath P.S. Case No. 62 of 2016, registered for the offences punishable under Sections 448, 341, 323, 324, 427, 307, 504/34 of the Indian Penal Code.

Allegedly, the petitioners assaulted the informant with iron rod, lathi, spade and bricks on his head causing injury and further assaulted with lathi and rod and after thinking him dead the petitioners fled away.

Submission is of false implication and that there is case and counter case. The informant has received injuries which are simple in nature caused by hard and blunt substance vide



Annexure- 2 and counter case is vide Annexure-3. No offence under section 307 of the Indian Penal Code is made out and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that there is case and counter case and the informant has received injuries which are simple in nature.

In the facts and circumstances as stated above, the petitioners in the event 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 bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhagalpur, in connection with Bath P.S. Case No. 62 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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