

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12648 of 2017

Arising Out of PS.Case No. -198 Year- 2016 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Ramanuj Pandit, S/o Late Chaturi Pandit.
 2. Sukomal Pandit, S/o Ramanuj Pandit,
 3. Kailash Mahto, S/o Maheshwar Mahto,
 4. Krishna Kumar Mishra @ Bhola Mishra, S/o Late Sitaram Mishra, All
are residents of Village- Mushapur, P.S.- Ghatho, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Chandra

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 30-03-2017 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 Sarairanjan (Ghataho) P.S. Case No. 198 of 2016 for the offences punishable under sections 341, 323, 324, 325, 379, 307, 506 and 504/34 of the I.P.C.

Allegedly, the petitioners and other co-accused after making planning to kill and being armed came and started abusing. The petitioner no.1 gave order to kill and then the petitioner no.3 started assaulting with knife causing cut injury on the finger, leg and hand. The petitioner no.2 assaulted with iron rod on the leg causing fracture. Petitioner no.4 assaulted with farsa causing injury on the left elbow and the right hand.



Submission is of false implication and that the informant was not treated in the Government hospital and he has brought the injury report from the private doctor from Samastipur and from the injury report it reveals that there is no sharp cut injury. Injury nos. 2 and 4 are grievous which are fracture of ankle joint at left leg and wrist joint of left hand, besides that there is no cut injury and as such the offence under sections 307 and 324 of the I.P.C. is not made out and as such the petitioners deserve sympathetic consideration. The injury report of the informant is attached vide Annexure-3 to the supplementary affidavit.

The learned A.P.P. fairly submits that from the injury report it reveals that the injury was caused by hard and blunt substance and there is no injury on the vital part.

In the facts and circumstances as stated above, the petitioners, 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. A.C.J.M-6th, Samastipur 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)

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