

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38111 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -KOTWALI District- MUNGER

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1. Raj Mandal @ Aditya Raj son of Late Gopal Mandal
2. Chhotu Kumar @ Rohit Kumar son of Ganga Sao
3. Sumit Pandit @ Sumit Mishra son of Gulli Pandit
4. Nitin Kumar son of Shankar Sah All Resident of Village- Purab- Sarai,
near Dilip Dharamsal P.S. Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 16-08-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in Kotwali
P.S.Case No. 122 of 2017 registered for offences punishable
under Sections 341, 323, 307, 354, 448, 385, 504, 506 and 34 of
the Indian Penal Code.

The prosecution case as per written report is that on
09.04.2017 all of sudden these petitioners entered into the house
of the informant and started assaulting the informant by slaps and
kicks and petitioner No. 1, assaulted the informant by the butt of
the pistol, causing fracture of tooth and also snatched golden chain
of the son of the informant.

Learned counsel for the petitioners submits that the
petitioner No. 1 is cousin brother of the informant. They are



agnates and on the date of occurrence, some scuffle had taken place between the children of both the families and in scuffle, the informant had sustained injuries. Petitioner Nos. 3 and 4 are friends of petitioner No.1.

Learned Additional Public Prosecutor opposes the prayer for bail.

On perusal of F.I.R. I find that the petitioner No.1 assaulted by butt of the pistol on the face of informant. The injuries sustained by him is simple in nature. The petitioner and informant are agnates, residing at same place.

Having regard the facts, circumstances and nature of allegation, the prayer of Anticipatory bail of petitioners is allowed and in the event of their arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Kotwali P.S.Case No. 122 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Munger.

(Sanjay Kumar, J)

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